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MUNICIPAL DOCUMENT

BY-LAWS OF THE CITY
OF HAMILTON

03-300 - 03-360

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Authority: Item 2, Hearings Sub-Committee
Report 03-033 (PD03211)
CM: October 15, 2003

Bill No. 300

CITY OF HAMILTON

BY-LAW NO. 03-300

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 902 Mohawk Road East**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 2 of Report 03-033 of the Hearing Sub Committee at its meeting held on the 15th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-59 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

   (a) by changing from "C" (Urban Protected Residential, etc.) District to "DE"-'H' (Low Density Multiple Dwellings - Holding) District, Modified;

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the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Low Density Multiple Dwellings) District regulations as contained in Section 10A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

   (a) that notwithstanding Section 10A (2) of Zoning By-law No. 6593, no building shall exceed 4 storeys, and no structure shall exceed 14m;

   (b) that, in addition to the requirements of Section 10A (3) (iii) of Zoning By-law No. 6593, a minimum 13.0m rear yard setback shall be provided and maintained;

   (c) that notwithstanding Section 10A (4) (iii) (c) of Zoning By-law No. 6593, a minimum lot area of 4,760m^2 shall be required;

   (d) that notwithstanding Section 18A (9) of Zoning By-law No. 6593, the required manoeuvring space for the nine visitor parking spaces shall not be provided and maintained on the lot on which the principle use, building or structure is located; and

   (e) that notwithstanding Section 18A (14g) of Zoning By-law No. 6593, two of the required visitor parking spaces in a residential district shall be permitted in the required front yard.

3. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,

      1) the owner or applicant investigating the noise levels on the site and implementing the appropriate noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of Environments recommended sound level limits. An acoustical report is to be prepared by a qualified Professional Engineer containing the recommended control measures, which shall be submitted to the satisfaction of the City of Hamilton, Director of Development.

   (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "DE" District provisions and subject to the special provisions referred to in section 2.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 2.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1489.

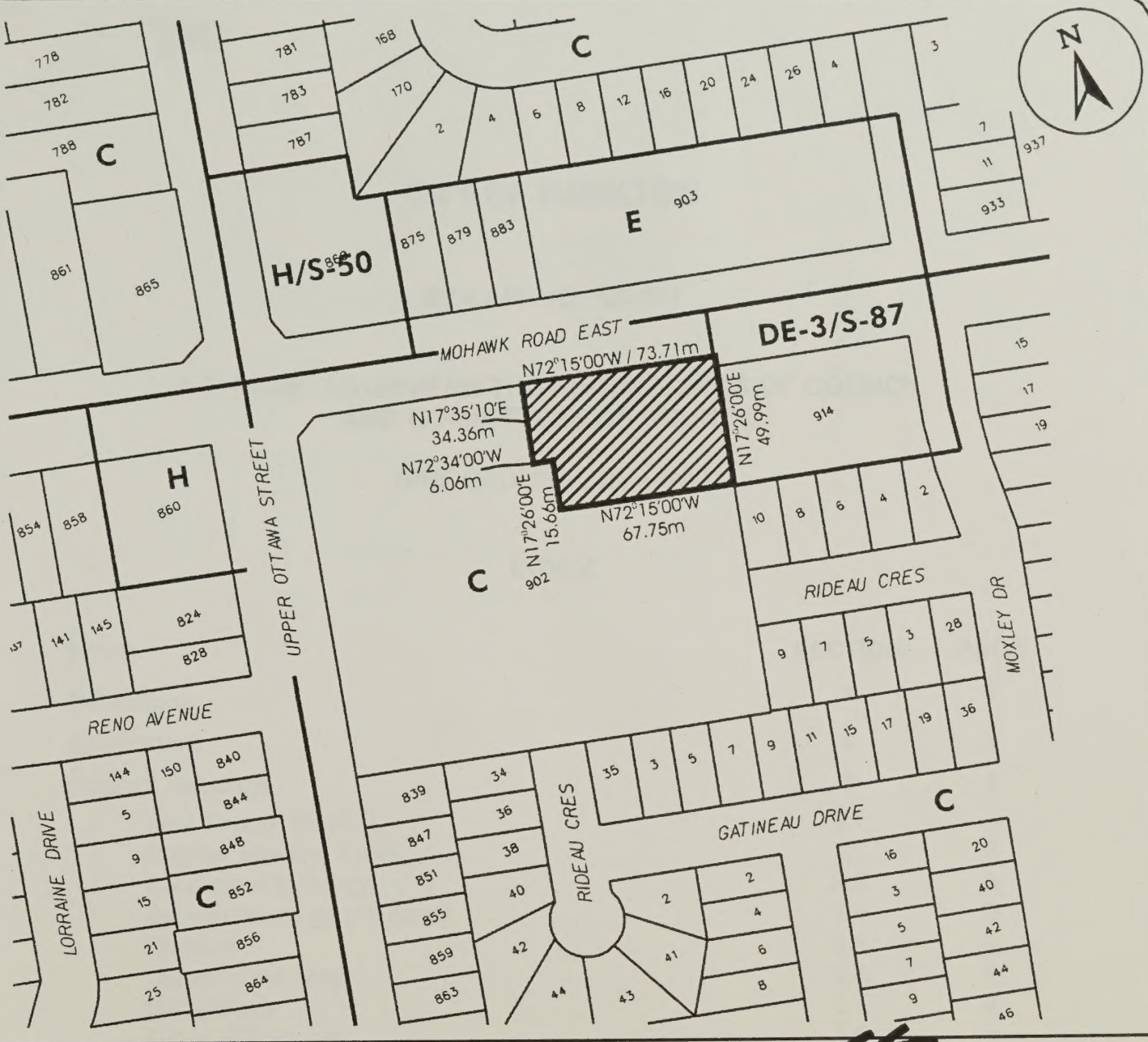
6. Sheet No. E-59 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1489.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 300

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 300
to Amend By-Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
902 Mohawk Road East

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-51
	Date	Drawn By
	October 20, 2003	NB

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CITY OF HAMILTON

BY-LAW NO. 03-301

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL

(PROCEDURAL BY-LAW)

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Authority: Items 20, 21, Committee of the Whole Report 03-028, Governance Review Task Force, September 25 and October 7, 2003 CM: October 15, 2003

Bill No. 301

CITY OF HAMILTON

BY-LAW NO. 03 - 301

A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL AND COMMITTEES OF COUNCIL

WHEREAS section 238, of the Ontario Municipal Act, 2001, c. 24, as amended, requires Councils to adopt, by by-law, procedures governing the calling, place, and proceedings of meetings;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

SECTION 1 - DEFINITIONS

1.1 In this By-law,

(a) **Act** means the Municipal Act;

(b) **amendment** means to alter or vary the terms of the main motion without materially changing its purpose;

(c) **bill** means a proposed form of By-law;

(d) **by-law** means a by-law in a form approved by the Council prepared or passed for the purposes of giving general effect to a previous decision or proceedings of the Council;

(e) **Chair** means the Member of Council presiding at any meeting of Council or Committee;

(f) **Clerk** means the Clerk, or his/her designate, of the City of Hamilton;

(g) **Committee of the Whole** means all members of the Council of the City of Hamilton present, sitting in Committee of the Whole;

(h) **Corporate Management Team** means the City Manager, General Managers and Executive Directors appointed by Council;

(i) **Council** means the Council of the City of Hamilton;

(j) **Deputy Mayor** means a Member who is appointed from amongst Council on a scheduled basis to assist the Mayor, and to act from time to time in the place and stead of the Mayor when the Mayor is absent from the City or is absent through illness, or the office of the Mayor is vacant, and while acting, such Member has, and may exercise, all the rights, powers and authority of the Mayor;

(k) **In Camera** means the conduct of a meeting, or part of a meeting, of Council or a Committee of Council, which is closed to the public as permitted by the Act;

(l) **majority** for the purposes of voting, means more than half the total of Members present and not prohibited by statute from voting;

(m) **Mayor** means the Head of the Council of the City of Hamilton;

(n) **meeting** means any regular or special meeting of Council or Committee of Council, and includes a Sub-Committee established by resolution of Council;

(o) **Member** means a Member of Council, including the Mayor;

(p) **motion** means a subject being presented for the consideration of Council and duly moved and seconded;

(q) **notice of motion** means a motion received by the Clerk in writing, moved by a Member for inclusion on a future agenda of a meeting of Council/Committee;

(r) **point of order** means the right of a Member to bring to the attention of the Mayor or Chair any deviation or departure from the rules of procedure;

(s) **Procedural By-law** means this By-law and as may be amended when required by a majority of Council at its discretion;

(t) **question of privilege** means questions relating to the rights and privileges of any Member of the Council;

(u) **quorum** means a majority of the whole number of Members of Council or Committee respectively, or as otherwise determined by Council;

(v) **recorded vote** means the recording of a vote of every Member of Council voting on any matter or question;

(w) **rules of procedure** means the provisions governing the proceedings of Council which are set forth in this By-law;

SECTION 2 - APPLICATION

2.1 The rules of procedure contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business in the Council and unless specifically provided, with necessary modifications, to all Committees thereof.

2.2 All points of order or procedure for which rules have not been provided in this by-law and its Appendices shall be decided as far as is reasonably practicable, with the rules of parliamentary law as contained in *Bourinot's Rules of Order*, fourth edition, revised, by Geoffrey Stanford.

SECTION 3 – COUNCIL MEETINGS

3.1 First Council Meeting

The First Meeting of Council shall be held on the first Wednesday of December in an election year at 7:00 p.m.

The Proceedings of the First Meeting of Council shall include:

(a) Ceremonial - special address by guests

(b) Filing of Declarations of Office in accordance with the provisions of the Municipal Act

(c) Council appointments to Standing Committees of Council

(d) Confirming By-law

3.2 Regular Meeting Times

Unless otherwise decided by Council, regular meetings of Council shall be held every second and fourth Wednesday of each month, commencing at 7:00 p.m., unless such a day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.

3.3 Location of Meetings

Meetings of Council shall be held in the Council Chambers at City Hall in the City of Hamilton or at such other place within the City of Hamilton as Council may from time to time determine.

3.4 Special Meetings of Council

(1) In addition to regular meetings, the Mayor may at any time summon a special meeting of Council by giving written direction to the Clerk stating the date, time, and purpose of the special meeting.

(2) The Clerk shall also summon a special meeting of Council when requested to do so in writing by a majority of Members.

(3) The Clerk shall give all Members notice of a special meeting of Council at least forty-eight hours before the time appointed for such meeting by delivering a written notice personally to a Member or by leaving such notice at his or her residence or place of business, by facsimile transmission or electronic mail to such residence or place of business.

(4) The written notice to be given under subsection (3) shall state the nature of the business to be considered at the special meeting and no other business other than that which is stated in the notice shall be considered at such meeting except with at least two-thirds of the Members present and voting in the affirmative.

3.5 Quorum

(1) As soon as there is a quorum after the time set for the meeting, the Mayor shall take the chair and call the meeting to order.

(2) A majority of Members (more than half the total) is necessary to constitute a quorum of Council.

(3) In case the Mayor or the Deputy Mayor does not attend within 15 minutes of the time a quorum is to be present for a meeting of the Council, the Clerk shall call the Members to order and an acting Chair shall be appointed from amongst the Members present and he or she will preside until the arrival of the Mayor or Deputy Mayor.

(4) If a quorum is not achieved within thirty minutes after the time appointed for a meeting of Council, the Clerk shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law.

3.6 Duties of the Chair

The Mayor or Deputy Mayor may designate another Member as acting Chair during any part of a meeting of the Council and while presiding, such Member shall have all the powers of the Mayor with respect to chairing the meeting and shall be entitled to vote as a Member.

3.7 Delegations

Delegations are not permitted at meetings of City Council.

3.8 Order of Business

The Order of Business for the regular meetings of Council shall be as follows:

(a) Approval of Agenda

(b) Declarations of Interest

(c) Ceremonial Activities

(d) Approval of Minutes of Previous Meeting

(e) Communications

(f) Committee Reports

(g) Motions

(h) Notice of Motions

(i) Statement by Members (non-debatable)

(j) By-laws and Confirming By-law

(k) Adjournment

3.9 Rules of Debate

(1) No Member shall be deemed to have precedence or seniority over any other Member.

(2) Before speaking to a question or motion, a Member shall be recognized by the Mayor and be placed on the speakers list.

(3) When a Member is speaking no other Member shall pass between that Member and the Mayor or interrupt that Member except to raise a point of order.

(4) If a Member disagrees with the announcement of the Mayor that a question is Carried or Lost, he or she may immediately after the declaration by the Mayor, object to the Mayor's declaration and require that a recorded vote be taken.

(5) A Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member who is speaking.

(6) The following matters may be introduced orally without written notice and without leave:

(a) a point of order

(b) a question of privilege

(c) a motion to adjourn

(d) a motion to refer

(e) a motion to table the question

(f) a motion to vote on the question

(g) a motion to go into Committee of the Whole

(7) The following motions may be introduced without notice and without leave, but shall be in writing and signed by the Mover and Seconder:

(a) to amend

(b) to suspend the rules of procedure

(c) to recess

3.10 Voting Procedures

(1) Every Member present at a meeting of the Council or Committee when a question is put shall vote unless prohibited by statute, in which case, the Clerk shall record the name of the Member and the reason that he or she is prohibited from voting.

(2) When a vote is taken and a tie results, it is deemed to be lost.

(3) If any Member at a meeting of the Council or Committee does not vote when a question is put and a recorded vote is taken, he or she shall be deemed to have voted in the negative except where prohibited from voting by statute.

(4) When a recorded vote is requested by a Member, the Clerk shall record the name and vote of every Member on the question.

(5) When the Mayor or Chair, of Council or Committee calls for a vote on a question, each Member shall occupy his or her seat and shall remain in his or her seat until the result of the vote has been declared by the Mayor or Chair, and during such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.

(6) After a question is put by the Mayor or Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

(7) No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

(8) Despite subsection (7), a meeting may be closed to the public during a vote if:

(a) the vote relates to an issue permitting the meeting to be closed to the pubic in accordance with Section 8 of this by-law; and

(b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents or the municipality or persons retained by or under a contract with the municipality.

(9) The Mayor or Chair, will upon request of a Member, divide the question, and the vote upon each proposal shall be taken separately.

(10) **Notice of Motion**

(a) Notice of all new motions, except motions listed in Section 3.9 (6) and 3.9 (7), shall be given in writing

i) at a meeting of Council but shall not be debated until the next regular meeting of Council; or

ii) delivered to the Clerk at any time prior to noon of the last business day preceding the date of the meeting at which the motion is to be introduced.

(b) Where a Member's notice of motion has been called by the Mayor at the subsequent meeting and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise.

(c) Where Council has determined not to drop a notice of motion from the agenda, and at the second meeting such notice of motion is called by the Mayor and not proceeded with, it shall be deemed to have been withdrawn.

(11) **Dispensing with Notice**

A motion may be introduced without notice if Council, without debate, dispenses with notice on the affirmative vote of the majority of the Members present and voting.

(12) **Motion to Withdraw**

After a motion is read or stated by the Mayor it shall be deemed to be in possession of Council, but may, with the permission of Council, be withdrawn at any time before decision or amendment.

(13) **Motion to Amend**

A motion to amend:

(a) shall be presented in writing, duly moved and seconded;

(b) shall be made only to a previous question or to amend an amendment to the question;

(c) shall be relevant to the question to be decided;

(d) shall not be received if in essence it constitutes a rejection of the main question;

(e) may contain a separate and distinct disposition of the question;

(f) shall be put in the reverse order to that which it is moved.

(14) **Motion to Refer**

(a) A motion to refer the question:

i) shall include the name of the body or official to whom the question is to be referred;

ii) may include instructions respecting the terms upon which the question is to be referred;

(b) A motion to refer the question is not debatable except where instructions are included, in which case, only the instructions shall be debatable.

(c) A motion to refer a question may be amended in accordance with the provisions of section 3.10 (13).

(15) **Motion to Adjourn**

A motion to adjourn the Council or to adjourn the debate shall always be in order except:

(a) when a Member is speaking or during the taking of a vote;

(b) immediately following the affirmative resolution of a motion that a vote on the question now be taken;

(c) when a Member has already indicated to the Mayor or Chair, Committee of the Whole, that he or she desires to speak on the question

(d) when resolved in the negative, cannot be made again until Council has conducted further proceedings.

(16) **Motion to Reconsider**

(a) Subject to clauses (b) and (c), after a question has been decided, it shall not be reconsidered during the term of the Council.

(b) A Member who voted in the majority on a question may move or give notice for a reconsideration of the matter.

(c) Debate on a motion for reconsideration must be confined to reasons *for* or *against* reconsideration.

(d) No motion shall be reconsidered more than once during a period of twelve months following the date on which the question was decided.

(e) A motion to reconsider will be carried by a two-thirds majority of the Members present and voting.

(17) Where a motion or resolution is under consideration, no motion or resolution shall be received except a motion or resolution having precedence in the following order:

(a) To adjourn

(b) To recess

(c) To request information

(d) To request that the vote now be taken

(e) To limit or extend the debate

(f) To postpone

(g) To refer or to go into Committee of the Whole

(h) To amend.

(18) The following motions are not debatable:

(a) To adjourn

(b) To refer, close, limit or extend debate

(c) To lay on the table (to table)

(d) Questions of privilege

(e) To suspend the rules

(f) To take up from the table.

(19) **Motions Beyond Jurisdiction of Council**

A motion in respect of a matter which is beyond the jurisdiction of Council shall not be in order.

3.11 By-laws/Bills

(1) All bills coming before Council shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act and shall be complete with the exception of the number and date.

(2) All bills coming before Council shall receive one reading unless otherwise requiring more than one reading pursuant to a Provincial or Federal statute or regulation.

(3) Every bill shall be introduced upon motion by a Member, and any number of bills may be introduced together in one motion, but Council shall, at the request of a Member, deal separately with any bill.

(a) All amendments or debate on the content of the bill shall be held in Committee of the Whole.

(b) Council will revert to Committee of the Whole for discussion on any bill following a successful verbal motion to go into Committee of the Whole.

(c) All amendments made in Committee of the Whole shall be reported by the Mayor to Council, which shall receive the same forthwith, and after the report has been received, a vote on the motion to pass the bills shall be taken.

(d) Every by-law passed by Council shall be numbered and dated and shall be sealed with the seal of the municipality and signed by the Mayor and Clerk.

3.12 Curfew

(a) No matter of business may be dealt with by Council or Committee after 9:00 p.m. local time without a motion to waive the rules of procedure.

(b) No item of business may be introduced after 10:00 p.m.

3.13 Hamilton Utilities Corporation

Council shall, as the Shareholder of the Hamilton Utilities Corporation, at an in camera meeting of Council, consider candidates for the Board, as proposed by the Nominating Committee, and for the appointment of the auditors of the Corporation.

Council shall, by resolution, appoint the necessary members of the Board and appoint the auditors for the Hamilton Utilities Corporation and complete such other business as would normally be completed at an annual meeting of shareholders under the Ontario Business Corporations Act. Within six (6) months after the end of each fiscal year of the Hamilton Utilities Corporation, the Board shall report to a Standing Committee of Council and provide the audited financial statements of the Corporation for the last completed fiscal year and any such information concerning the Corporation and its subsidiaries as is appropriate.

3.14 Board of Health

The Board of Health shall constitute the membership of the Social and Public Health Services Committee having all powers, rights and duties of the Board of Health and adhering to all legislated requirements under the Health Protection and Promotions Act. The conduct of the Board of Health meetings shall be in the same form and procedure as a Standing Committee meeting.

SECTION 4 - COMMITTEE OF THE WHOLE

4.1 Council may, by resolution, go into Committee of the Whole.

4.2 While Sitting in Committee of the Whole, the rules governing the procedure of the Council and the conduct of the members thereof shall not be limited, provided that no member shall speak more than once until every member who desires to speak shall have spoken.

4.3 Any member of Council is entitled to be present at a meeting of a Committee of the Council from which the public has been excluded, unless such member of Council has an interest which the member is obligated to disclose pursuant to the relevant declaration of interest legislation.

SECTION 5 – STANDING COMMITTEE MEETINGS

5.1 Standing Committees

The Standing Committees shall be as follows:

(a) Community Services Committee

(b) Corporate Administration Committee

(c) Planning and Economic Development Committee

(d) Public Works, Infrastructure and Environment Committee

(e) Social and Public Health Services Committee

(f) Strategic Planning & Budgets Committee

5.2 Appointment of Standing Committee Chairs and Vice Chairs

(1) Each Standing Committee shall recommend to Council the appointment of a Chair and Vice Chair for the required term.

(2) Term of the Chair and Vice Chair shall be for one year.

(3) No member of Council may serve as Chair of the Standing Committee for more than one year in a Council term.

5.3 Standing Committee Membership

(1) The Standing Committees, with the exception of the Strategic Planning and Budgets Committee, shall be composed of six (6) members of Council plus the Mayor as ex-officio. In order to accommodate overlapping committee memberships by members of Council, a maximum of eight (8) members may be appointed to any Standing Committee.

(2) The Strategic Planning and Budgets Committee shall be composed of the Mayor as Chair and one (1) representative from each of the five (5) Standing Committees.

(3) In areas of common interest and mutual jurisdiction:

(a) Members serving on the Community Services Committee shall also serve on the Social and Public Health Services Committee; **OR**

(b) A core of five (5) members shall serve on both the Community Services Committees and the Social and Public Health Services Committee.

(4) Each member of Council shall sit on a minimum of 2 Standing Committees.

(5) Membership on Standing Committees shall be for the duration of the term of Council.

5.4 Quorum

(1) Quorum of all Standing Committees shall be four (4).

(2) The Mayor, as an ex-officio member of all Standing Committees, with the exception of the Strategic Planning & Budgets Committee, which the Mayor will Chair, shall be counted for Quorum purposes.

5.5 Regular Meeting Times

(1) Unless otherwise decided by Council, regular meetings of the Standing Committees shall be as follows:

(a) Community Services Committee shall meet on the second and fourth Tuesday of every month at 1:30 p.m.;

(b) Corporate Administration Committee shall meet on the first and third Wednesday of every month at 9:30 a.m.;

(c) Planning and Economic Development Committee shall meet on the first and third Tuesday of every month at 9:30 a.m.;

(d) Public Works, Infrastructure and Environment Committee shall meet on the first and third Monday of every month at 9:30 a.m.;

(e) Social and Public Health Services Committee shall meet on the second and fourth Tuesday of every month at 9:30 a.m.;

(f) Strategic Planning & Budgets Committee shall meet on the first and third Wednesday of every month at 1:30 p.m.;

unless such a day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.

(2) In addition to regular meetings, Council may call a special meeting of a Standing Committee for issues of substantial concern to the public, at locations and times to permit convenient access for members of the public most affected by such issues.

5.6 Committee Reports

Each Standing Committee shall make recommendations to Council.

5.7 Rules of Procedure

(1) The rules governing the procedure of the Council and conduct of Members in Council shall be observed in Committee so far as they are applicable.

(2) No Member shall speak more than once, until every Member who desires to speak has spoken and then only to provide new information or seek clarification from the Chair or other Members or from staff.

(3) A Member may place an item on a future agenda of a Standing Committee meeting by delivering a written request to the Chair of the Standing Committee.

(4) A member of Council who is not a member of a Standing Committee is entitled to attend such Standing Committee meetings and to participate, subject to Subsection (5).

(5) A member of Council who is not a member of a Standing Committee shall, at such Standing Committee meetings:

(a) not be counted in determining the presence or number for quorum;
(b) not move any motion or vote on any matter; and
(c) subject to clauses (a) and (b) above, any member of Council who is not a member of a Standing Committee shall not, without leave of the Standing Committee, speak to a matter or ask questions for a total of more than 10 minutes per Standing Committee meeting.

5.8 Duties of Standing Committees

The duties of the Standing Committees shall be as follows:

(a) Community Services Committee shall be responsible for the duties listed in Appendix 'A'

(b) Corporate Administration Committee shall be responsible for the duties listed in Appendix 'B'

(c) Planning and Economic Development Committee shall be responsible for the duties listed in Appendix 'C'

(d) Public Works, Infrastructure and Environment Committee shall be responsible for the duties listed in Appendix 'D'

(e) Social and Public Health Services Committee shall be responsible for the duties listed in Appendix 'E'

(f) Strategic Planning & Budgets Committee shall be responsible for the duties listed in Appendix 'F'

5.9 Order of Business

The Order of Business for the regular meetings of Committee shall be as follows:

(a) Changes to the Agenda

(b) Declarations of Interest

(c) Approval of Minutes of Previous Meeting

(d) Delegation Requests

(e) Consent Items

(f) Public Hearings

(g) Staff Presentations

(h) Discussion Items

(i) Motions

(j) Notice of Motions

(k) General Information

(j) Private and Confidential

(l) Adjournment

5.10 Delegations

(1) Persons who wish to address Members of Council on a matter not listed on a Standing Committee Agenda, may by correspondence to the Clerk, request to be listed as a delegation.

(2) Written notice from a delegation shall include the person's name, address, telephone number, reasons for the delegation, and if applicable the name, address and telephone number of any person, corporations or organizations which he or she represents.

(3) Upon receipt of the written notice requesting delegation status, the Clerk shall list the delegation request on the next appropriate Agenda for the relevant Standing Committee, and the decision whether or not to entertain the delegation will be made by the Standing Committee.

(4) When a person(s) is granted permission to appear as a delegation, he/she shall provide the Clerk, not later than 5:00 p.m. on the fifth day preceding the date of the Standing Committee meeting, with a brief of his/her presentation, which in turn will be provided by the Clerk to the Members of the appropriate Standing Committee in advance of the meeting.

(5) When a person(s) is listed as a delegation on a Standing Committee agenda and such person does not attend said meeting, that person(s) shall be placed as a delegation on the next appropriate Standing Committee agenda. If this person(s) fails to attend the Standing Committee meeting, after being given a second opportunity to appear as a delegation, said person shall be removed as a delegation on the Standing Committee Agenda and must re-apply to be heard in accordance with subsections (1) and (2).

(6) Persons who wish to address Council on a matter that is listed on the agenda for a Standing Committee meeting must give notice to the Clerk by 12:00 noon on the day prior to the meeting. The Clerk will provide the list of delegation requests to the Chair prior to the commencement of the meeting and a decision whether or not to refer the matter to the next Standing Committee meeting to hear the delegation will be determined by the Standing Committee members.

(7) A delegation shall be limited to two speakers.

(8) A delegation shall be limited to a presentation of not more than 5 minutes.

(9) Delegations requesting the opportunity to address a Standing Committee in accordance with the provisions of pertinent legislation shall be heard without written notice, if not required by legislation, and the proceedings of such public meetings or hearings shall form part of the report of the Standing Committee to City Council.

SECTION 6 – ESTABLISHMENT OF TASK FORCES OR ADVISORY COMMITTEES

6.1 Council may from time to time as needed, establish Task Forces/Advisory Committees in response to specific issues requiring immediate or long term attention.

6.2 Such Task Forces/Advisory Committees shall follow approved policies and procedures identifying Mandate, Objectives and Work Plan for such committees, responsibilities of committee members and staff resources, budget allowances and other necessary resources (See Appendix I).

6.3 When a Task Force/Advisory Committee has completed its work and submitted it final report, it dissolves automatically, unless otherwise directed by Council.

6.4 Sub-Committees of Council that have an even number of members, and where the Committee is composed of six (6) or more members, a quorum shall be as follows:

# of Members	Quorum
6	3
7 or 8	4
9 or 10	5
11 or 12	6
13 or 14	7

SECTION 7 - CONDUCT OF MEMBERS - ORDER AND DECORUM

7.1 No member shall:

(a) speak disrespectfully of the Reigning Sovereign, of any member of the Royal Family, of the Governor-General of Canada or of the Lieutenant Governor of any Province; of any member of the Senate or the House of Commons of Canada, or of the Legislative Assembly of the Province of Ontario.

(b) use offensive words or unparliamentary language

(c) disobey the rules of the Council or a decision of the Mayor of the Council or Chair of Committee on questions of order or practice or upon the interpretation of the rules and should a Member persist in such disobedience after having been called to order by the Mayor or Chair of Committee of the Whole, the Mayor or Chair may forthwith order him or her to vacate the Chamber or place the meeting is being held. If the member apologizes he or she may by vote of Council, be permitted to take his or her seat.

(d) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability.

(e) bring food or beverages, water excepted, into the Council Chamber during the sitting of Council.

(f) speak on any subject other than the subject in debate

(g) speak on a subject longer than a five (5) minute period, without leave of Council

(h) criticize any vote of the Council or a Committee.

7.2 No person except Members, the Clerk, and officials authorized by the Clerk, the Mayor or the Council, shall be allowed on the floor of Council.

7.3 No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council.

SECTION 8 – IN CAMERA MEETINGS

8.1 No meeting or part thereof shall be in camera unless the subject matter being considered is:

(a) the security of the property of the municipality or local board;

(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition or disposition of land for municipal or local board purposes;

(d) labour relations or employee negotiations;

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

(f) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(g) a matter in respect of which a council, board, committee or other body has authorized a meeting to be closed under another Act;

(h) a matter relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, committee or other body is designated as head of the institution for the purposes of that Act;

and Council has stated by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting.

SECTION 9 - ROLE OF CLERK

9.1 The Clerk shall distribute the regular agendas of Council and Committee meetings to members of Council and Corporate Management Team at least 5 days prior to the scheduled meetings.

9.2 The Clerk shall initiate the distribution of the regular agendas of Committee meetings, to the media and general public, 48 hours following the distribution outlined in subsection 9.1.

9.3 The agenda may be distributed and made available in an electronic format.

9.4 The Clerk shall advise the Mayor and the Chair when items are required to be added to or removed from the agenda.

9.5 The Clerk shall submit for confirmation or amendment the minutes of the previous regular Council/Standing Committee meeting and may read the minutes or portions of the minutes upon request. Upon approval of the majority of the members of Council, the Mayor and Clerk shall sign the minutes confirmed or as amended.

9.6 The Clerk shall advise the Chair, if in his/her opinion, the issue (or portion thereof) being discussed at an "In Camera" meeting is not procedurally appropriate in accordance with the terms of the Municipal Act and in accordance with Section 8 of this By-law.

SECTION 10 – GENERAL

10.1 This By-law shall not be amended or repealed except by a majority vote of all Members of Council.

10.2 No amendments or repeal of this By-law shall be considered at any meeting of the Council unless notice of Council's intention to amend or repeal is provided to the public.

10.3 General guidelines describing the respective roles and responsibilities of the Council, the Mayor and the Chair of a Committee are set out in Appendix "G" to this by-law.

10.4 A code of conduct setting out general standards for acceptable conduct by Members of Council in the performance of their public duties is set out in Appendix "H" to this By-law.

10.5 This By-law comes into effect on December 1, 2003.

10.6 The short title of this By-law is 'The Procedural By-law'.

10.7 By-law No 01-300, and all amendments thereto, governing the rules and procedures of Council of the City of Hamilton are hereby repealed.

PASSED AND ENACTED this 29th day of October, 2003.

Mayor

City Clerk

Appendix 'A'

COMMUNITY SERVICES COMMITTEE

Composition: The Community Services Committee shall be composed of 6 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- the establishment, management, and control of recreational and cultural programs and services
- Cultural and Recreational services
- the delivery of protective services including fire operations, fire prevention, emergency medical services, emergency planning and preparedness and mobile communications

Specific duties shall include:

- To consider and recommend to Council on policy matters relating to recreation services, cultural affairs and multi-cultural matters
- To consider and recommend to Council on special events/occasions
- To consider and recommend to Council on emergency services including fire protection, fire prevention, emergency medical services, emergency planning and preparedness and mobile communications
- To receive delegations from the public and conduct public hearings as required by statute and Council

Appendix 'B'

CORPORATE ADMINISTRATION COMMITTEE

Composition: The Corporate Administration Committee shall be composed of 6 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Human resource management programs and services
- Programs related to Financial services, Customer Service, Information Technology, Legislative Services, Records Management, Lottery Licensing, Legal Services, Procurement and Risk Management

Specific duties shall include:

- To consider and make recommendations to Council on matters of policy respecting human resources, including health and safety, union/management relations, organizational planning and development and compensation administration
- To consider and make recommendations to Council on matters of policy involving communications issues
- To consider and make recommendations to Council on matters of policy involving financial management, investment, reserves, debt, procurement and risk management
- To consider and make recommendations to Council on Grants to Organizations
- To consider and make recommendations to Council on matters regarding Boards and Agencies, including Hamilton Utilities Corporation
- To consider and make recommendations to Council on matters of policy involving general policies and procedures and administrative by-laws
- To receive briefings on legal matters involving the City and give direction to the City Solicitor on litigation matters
- To receive delegations from the public and conduct public hearings as required by statute and Council

Appendix 'C'

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

Composition: The Planning and Economic Development Committee shall be composed of 6 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Business Development, the Small Business Enterprise Centre, the Hamilton Incubator of Technology and Tourism Hamilton
- Long Range Planning, land use management, development planning and engineering, real estate, and downtown renewal
- Parking Operations and Enforcement
- By-law Enforcement, Municipal Licensing, Building Code issues.

Specific duties shall include:

- To consider and recommend to Council on the administration and enforcement of the Ontario Building Code, Zoning By-laws, the Property Standards By-laws, Licensing By-law, Animal Control By-law, Sign By-law and other relevant by-laws.
- To consider and recommend to Council on all matters related to the Planning Act, the Ontario Heritage Act, the Municipal Act, the Niagara Escarpment Act and other applicable legislation regarding planning, economic development and downtown issues.
- To consider and recommend to Council on the City's Official Plan and Zoning By-laws and amendments thereto, pursuant to the Planning Act, and to conduct such related public meetings as many be required
- To consider and recommend to Council on applications for subdivision and condominium approval pursuant to the Planning and Act and Condominium Act, as applicable
- To consider and recommend to Council on matters such as community planning, urban design guidelines, heritage policy and related housing policy and programs in accordance with the directions contained in the Official Plan
- To advise and assist Council in any matters arising from the work of the Committee of Adjustment in considering applications for consent and minor variance under the Planning Act, including possible City participation at any Ontario Municipal Board Hearings to consider the appeal of Committee of Adjustment decisions
- To consider and recommend to Council on policy issues relating to economic development

- To consider and recommend to Council on all matters that rise in the administration, sale and acquisition of real property, and leases
- To consider and recommend to Council on all matters relating to Parking Operations and Enforcement.
- To receive delegations for the public and conduct public hearings as required by statute and Council.

Appendix 'D'

PUBLIC WORKS, INFRASTRUCTURE AND ENVIRONMENT COMMITTEE

Composition: The Public Works, Infrastructure and Environment Committee shall be composed of 6 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To report and make recommendations to Council on matters relating to:

- Water & Wastewater (Collection/Distribution, Treatment, and Compliance)
- Waste Management (Solid Waste Planning, Collection, and Disposal)
- Operations & Maintenance (Roads, Traffic, Forestry & Beautification, and Parks & Cemeteries)
- Transit (Operations and Transit Fleet)
- Fleet and Facilities (Central Fleet, and Corporate & Community Buildings)
- Capital Planning and Implementation (Strategic and Environmental Planning, Asset Management, Design and Construction)
- Major road construction projects

Specific duties shall include:

- To consider and recommend to Council, Service Programs, Service Levels for all direct and indirect services provided by the department (i.e. business plan, management plans, operating plans, and other relevant plans.)
- To consider and recommend to Council, Policies, By-laws, and procedures governing service delivery implemented by the department.
- To consider and recommend to Council, Asset Management Plans and Forecasts for all infrastructure managed by the department
- To consider and monitor program implementation and performance through staff reports and make recommendations to Council respecting program management initiatives (i.e. continuous improvement, budget performance, revenue generation and other relevant issues.)
- To consider and recommend to Council, procurement in accordance with corporate policies
- To receive delegations from the public and conduct public hearings as required by statute and Council

Appendix 'E'

SOCIAL AND PUBLIC HEALTH SERVICES COMMITTEE

Composition: The Social and Public Health Services Committee shall be composed of 6 members of Council, plus the Mayor as ex-officio.

Mandate:

General: To ensure the City of Hamilton meets or exceeds its obligations as a Board of Health under the Health Protection and Promotion Act, and in all matters relating to Public Health, Social Housing, Homes for the Aged, and Social Services in order to promote well-being and create opportunities to enhance the quality of life in our community

Specific duties shall include:

- To consider and recommend to Council on policy matters and emerging issues related to Public Health, Employment and Financial Assistance, Children's Services, Homes for the Aged, Emergency Shelters, Residential Care Facilities, Homelessness, and Social Housing
- To consider and recommend to Council on health and social well-being needs of the community according to the determinants of health
- To provide advice and guidance to the Public Health and Community Services Department including input to Departmental Strategic Planning initiatives to ensure alignment with Council's Mission, Vision, Values and Goals, and the Social Development Strategy
- To review and recommend for approval to Council the Public Health and Community Services annual operating and capital budgets and business plans related to Public Health, Employment and Financial Assistance, Children's Services, Homes for the Aged, Emergency Shelters, Residential Care Facilities, Homelessness, and Social Housing
- To monitor the implementation of Public Health and Community Services Programs in accordance with approved business plans
- To receive delegations from the public and conduct public hearings as required by statute and Council

Appendix 'F'

STRATEGIC PLANNING & BUDGETS COMMITTEE

Composition: The Strategic Planning & Budgets Committee shall be composed of 6 members of Council:

- Mayor (as Chair)
- A representative from each of the 5 Standing Committees

Mandate:

General: To report and make recommendations to Council on matters relating to:

- the development and update of the City's Strategic Plan
- policy direction and prioritization relating to business planning
- the current and capital budgets including consideration of Grants
- internal/external audits

Specific duties shall include:

- To review and monitor, in conjunction with Council, the City's and Council's Strategic Plan
- To review corporate and program objectives and performance measures and make recommendations to Council with respect to the business planning framework including corporate performance measures
- To consider and recommend to Council on matters of policy relating to budgets, budget monitoring, re-assessment and related tax policies
- To consider and recommend to Council all audit matters, including promoting an appropriate environment for the management of public funds and a high level of accountability. Ensure compliance with laws, regulations, policies and support high standard of ethical conduct
- To consider and make recommendations to Council on Grants to organizations
- To receive delegations from the public and conduct public hearings as required by statute and Council

Appendix "G"

ROLES OF COUNCIL, MAYOR AND COMMITTEE CHAIR

PREAMBLE

The general requirements for holding office for elected officials for the City of Hamilton are contained in the Municipal Act.

GENERAL ROLE/GUIDELINES (COUNCIL)

a) Within the authority of enabling legislation, to develop policies for the purpose of guiding the administration of municipal government in the City of Hamilton.

b) Subject to legislative restrictions, develop regulations to be adopted in by-laws and resolutions for the overall benefit of the citizens of the community.

c) Appoint statutory officers and senior officials to ensure that a functional management system is in place and which will administer the City within the adopted policies of Council.

d) To collectively oversee the administrative functions as carried out by appointed officials within the delegated authority and the policies adopted by Council.

e) To monitor the administrative process, and ensure that the will and direction of the City is placed into effect.

f) To be prepared to attend regular and special meetings of Council and committees, as required and to participate in the debate for the purpose of developing and adopting policies and directions for the City of Hamilton.

g) Note that absence from the meetings of Council for three successive months results in a member's seat being declared vacant unless authorised by resolution of Council.

h) To act as liaison between the citizens they represent and the municipality, to ensure that the intention of the established policies and regulations are applied in a manner that is conducive to the interests of the citizens as a whole.

i) To oversee the financial affairs and delivery of municipal services through the adoption of policies and budget control guidelines and to ensure that appropriate audit procedures and monitoring programmes are in effect.

ROLE OF THE MAYOR

The Mayor is responsible to act as the Head of Council, as detailed in the Municipal Act, providing leadership to other members of Council.

a) To act as the Council's corporate representative when dealing with other government agencies and the private sector consistent with the vision and direction expressed by the Council of the day.

b) The Mayor and the City Manager must work in close liaison as the pivotal link between the policy making body of Council and the administrative organization of the municipality.

c) The role of Mayor is considered as statutory and policy related, to act as the Head of Council and to co-ordinate political representation on behalf of the City when required at meetings, receptions, functions, and community activities, and to direct administrative functions to the attention of the City Manager.

ROLE OF COMMITTEE CHAIR

a) To ensure that the general functions noted in the roles of Council and in the policies and procedures established by the City are maintained.

b) The role of Chair, in co-ordinating the meetings of a committee, will be considered statutory and policy related, with administrative functions to be delegated to appointed staff and officials through the appropriate General Manager or Executive Director, following appropriate reporting procedures of the Municipality.

c) It is recognised that the role of Chair, as outlined above, does not provide any administrative authority over staff, and that any administrative requests should be brought to the attention of the City Manager, appropriate General Manager or Executive Director or appropriate delegated staff.

Appendix "H"

CODE OF CONDUCT FOR MEMBERS OF COUNCIL

PREAMBLE

A written Code of Conduct helps to ensure that the members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Hamilton's elected representatives operate from a base of integrity, justice and courtesy.

The City of Hamilton Council Code of Conduct is a general standard that augments the provincial laws and municipal by-laws that govern their conduct. It is not intended to replace personal ethics.

GENERAL

All members shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

GIFTS AND BENEFITS

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties as City Councillors, except compensation authorised by law.

This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits up to and including a value of $100.00 that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office. Tokens, mementoes, souvenirs or gifts with a value of greater than $100.00 shall be the property of the municipality.

No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to City services not otherwise available to the general public and not consequent to his or her official duties.

CONFIDENTIALITY

All information, documentation or deliberation received reviewed or taken in closed session of Council and its committees are confidential.

Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential.

Particular care should be exercised in ensuring confidentiality of the following types of information:

- Personnel matters;
- Information about suppliers provided for evaluation which might be useful to other suppliers;
- Matters relating to the legal affairs of the City;
- Sources of complaints where the identity of the complainant is given in confidence;
- Items under negotiation;
- Schedules of prices in contract tenders;
- Information defined as "personal information" under the Municipal Freedom of Information and Protection of Privacy Act.

This list is provided for example and is not inclusive. Requests for information should be referred to the appropriate staff to be addressed as either an informal request for access to municipal records, or as a formal request under the Municipal Freedom of Information and Protection of Privacy Act.

USE OF CITY PROPERTY

No member shall use for personal purposes any City property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of City duties or associated community activities of which City Council has been advised.

No member shall obtain financial gain from the use of City-developed intellectual property, computer programs, technological innovations, or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the City of Hamilton.

No member shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

WORK OF A POLITICAL NATURE

No member shall use City facilities, services, or property for his or her re-election campaign. No member shall use the services of City employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the City.

CONDUCT AT COUNCIL

During Council meetings, members shall conduct themselves with decorum. Respect for delegations and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor.

REPRESENTING THE CITY

Members shall make every effort to participate diligently in the activities of the agencies, boards, and commissions to which they are appointed.

INFLUENCE ON STAFF

Members shall be respectful of the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality, and are required to do so without any undue influence from any individual member or group of members of Council.

BUSINESS RELATIONS

No member shall borrow money from any person who regularly does business with the City unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before Council or a committee of Council or any agency, board, or committee of the City.

ENCOURAGEMENT OF RESPECT FOR THE CITY AND ITS BY-LAWS

Members shall encourage public respect for the City and its by-laws.

HARASSMENT

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the City of Hamilton that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, handicap, sexual orientation, marital status, or family status and any other grounds under the provisions of the Ontario Human Rights Code.

INTERPRETATION

Members of Council seeking clarification of any part of this Code of Conduct should consult with the City Clerk or City Solicitor.

Appendix "I"

CRITERIA FOR THE CREATION OF TASK FORCES OR ADVISORY COMMITTEES

a) That all requests for the formation of a Task Force/Advisory Committee be presented to a Standing Committee for consideration.

b) That all requests, upon approved motion by the Standing Committee, be referred to the applicable General Manager for a report back on the following;

- i) inventory of previous and existing activities related to the issue
- ii) reporting structure, membership composition, mandate, objectives, legislative requirements, work plan and timelines for the Special Purpose Body
- iii) responsibilities of Committee members
- iv) membership expertise requirements for the Special Purpose Body
- v) proposed budget allocation requirement and source of funding
- vi) staffing requirements
- vii) other necessary resources, and
- viii) term limits

c) That upon Standing Committee approval of the formation of the Task Force/ Advisory Committee, the following procedures will be followed:

- i) That the Clerk advertise for citizens to serve on the Task Force/Advisory Committee, including the membership expertise requirements; and
- ii) That applications received for membership on the Task Force/Advisory Committee be forwarded by the Clerk to a Selection Committee consisting of members of Council; and
- iii) That, where possible and applicable, geographical representation should be considered for members serving on Task Force/Advisory Committees; and
- iv) That proceedings of the Task Force/ Advisory Committees be subject to the City's Procedural By-laws; and
- v) That the General Manager provide an annual "report card" to the Standing Committee on the activities of the Task Force/ Advisory Committee in relation to their mandate, and that the Standing Committee determine annually if each body should have its mandate continued for a further year; and
- vi) That all members of Task Force/Advisory Committees be required to take an Declaration of Office, administered by the Clerk or his designate, similar to that taken by members of Council; and
- vii) That upon completion of the Task Force/ Advisory Committee's mandate and/or outgoing membership on Bodies, that a Certificate of Recognition and Appreciation be presented to citizen members.

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Authority: Item 12, Committee of the Whole
Report 03-028 (FCS03117)
CM: October 15, 2003

BILL NO. 302

THE CITY OF HAMILTON
BY-LAW NO. 03-302

Being a By-law for the Provision of City of Hamilton Souvenirs and Mementoes

WHEREAS Council deems it necessary to enact a by-law for the sale of City of Hamilton souvenirs and mementoes from City Hall and other Municipal Service Centres;

AND WHEREAS Council deems it advisable to set prices for City souvenirs and mementoes by marking up based on the cost of the materials, in order to cover the costs related to the purchase and sale, so that the price shown for an item reflects its purchase price plus margin as specified;

AND WHEREAS City pins and flags will be sold at cost without margin;

AND WHEREAS Sections 2, 5 and Part XII of the Municipal Act, S.O. 2001 Chapter 25, as amended, provide for the Council of a Municipality to pass by-laws for purposes which include the provision of services and things necessary and desirable for the municipality and fostering the current and future economic, social and environmental well-being of the municipality, and specifically to enact by-laws setting fees and charges for services, activities, costs and use of property;

AND WHEREAS Council considers that reasonable notice of the by-law and proposed fees have been given pursuant to section 251 of the Municipal Act, S.O. 2001 Chapter 25, as amended;

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

SHORT TITLE

1. This By-law may be cited as the "City Souvenir and Memento By-law".

DEFINITIONS

2. In this By-law,

   (a) "cost" means the purchase or production price of the item of merchandise as paid by the City in Canadian dollar and cents, rounded up to the nearest cent; and

   (b) "merchandise" means souvenirs, mementoes, pins and flags of City of Hamilton events, or such items bearing City of Hamilton markings, including but not limited to the name of the City, City crest, logo, seal or motto.

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MARGIN ABOVE COST TO ESTABLISH SALE PRICE

3. Subject to section 4 below, the sale price of merchandise shall be calculated as follows:

   (a) For merchandise with a cost of less than ten dollars ($10.00), cost plus a fifty percent (50%) margin;

   (b) For merchandise with a cost of ten dollars ($10.00) to twenty dollars ($20.00), both amounts inclusive, cost plus a twenty-five percent (25%) margin; and

   (c) For merchandise with a cost of more than twenty dollars, cost plus a ten percent (10%) margin.

4. The sale price of City pins and flags shall be calculated at the cost of such items to the City.

ENACTMENT

5. This by-law comes into force and effect upon the date of enactment.

ENACTED and PASSED this 29th day of October, A.D. 2003.

MAYOR

CITY CLERK

CA4 HBL A08
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Authority: Item 10, Hearings Sub-Committee
Report 03-027 (PD03201)
CM: August 13, 2003

Bill No. 303

CITY OF HAMILTON

BY-LAW NO. 03-303

**To Amend Zoning By-law No. 6593
Respecting Lands Located at the Northwest Corner of Rymal Road West and Upper Paradise Road**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 10 of Report 03-027 of the Hearings Sub-Committee at its meeting held on the 13th day of August, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-37d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

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(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, Etc.) District, the lands comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

(b) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District, the lands comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

(c) by changing from "AA" (Agricultural) District to "G-4" (Designed Neighbourhood Shopping Area) District, the lands comprised in Block "3", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. The "C" (Urban Protected Residential, Etc.) District provisions, applicable to Block "1", as contained in Section 9 of Zoning By-law No. 6593, are amended to the extent only of the special requirement that:

(a) Notwithstanding Subsection 9.(3)(i) of Zoning By-law No. 6593, a minimum front yard depth of at least 3.0 metres shall be provided and maintained, except that a minimum front yard of a depth of at least 6.0 metres shall be provided and maintained to the face of an attached garage or carport;

3. The "G-4" (Designed Neighbourhood Shopping Area) District provisions, applicable to Block "3", as contained in Section 13D of Zoning By-law No. 6593, are amended to the extent only of the special requirements that:

(a) Notwithstanding Subsection 13D.(5) of Zoning By-law No. 6593, a maximum lot depth of 70.0 metres and lot area of 4,200 square metres shall be provided and maintained;

(b) Notwithstanding Subsection 13D.(7)(i) of Zoning By-law No. 6593, a planting strip of not less than 6.0 metres in width shall be provided and maintained along every side lot line and rear lot line adjoining a residential district or use;

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, Etc.) District provisions, subject to the special requirements referred to in Section 2, the "A" (Conservation, Open Space, Park and Recreation) District provisions, and the "G-4" (Designed Neighbourhood Shopping Area) District provisions, subject to the special requirements referred to in Section 3.

5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1488.

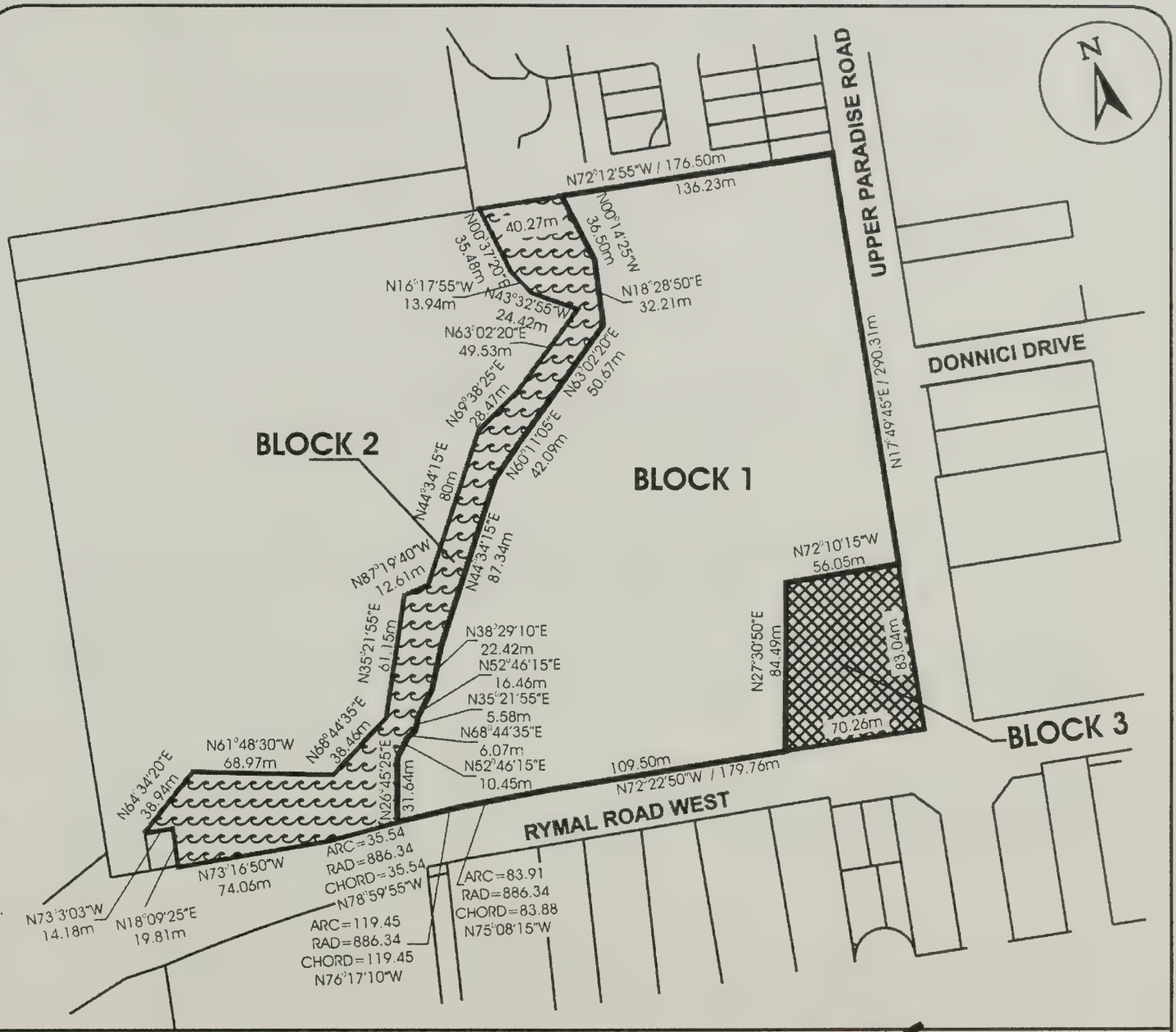
6. Sheet No. W-37d of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1488.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 303

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 303
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Subject Land
N/W Corner of Rymal Rd. W. and Upper Paradise Rd.
Change in Zoning from "AA" (Agricultural) District to:

- **Block1:** "C" (Urban Protected Residential, Etc.) District, Modified
- **Block2:** "A" (Conservation, Open Space, Park and Recreation) District
- **Block3:** "G-4" (Designed Neighborhood Shopping Area) District, Modified

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-49/25T200312
	Date	Drawn By
	October 09, 2003	NB

CA4 HBL A08
B91

Authority: Item 6, Hearings Sub-Committee
Report 03-032 (PD03233)
CM: October 15, 2003

Bill No. 304

CITY OF HAMILTON

BY-LAW NO. 03-304

To Amend Zoning By-law No. 6593
Respecting the Lands Located at 21 Rosedene Avenue

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 6 of Report 03-032 of the Hearings Sub-Committee at its meeting held on the 15th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, Etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:

CA4 HBL A08
1P9

(a) Notwithstanding Subsection 9.(1) of Zoning By-law No. 6593, the following use shall also be permitted:

1) a lodging house not for gain within the building existing at the time of the passing of the By-law, with or without remuneration, for a maximum of thirty-nine (39) residents, accessory to a place of worship.

(b) Subsection 9.(1)(iib) of Zoning By-law No. 6593 shall not apply to the subject lands.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, Etc.) District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1491.

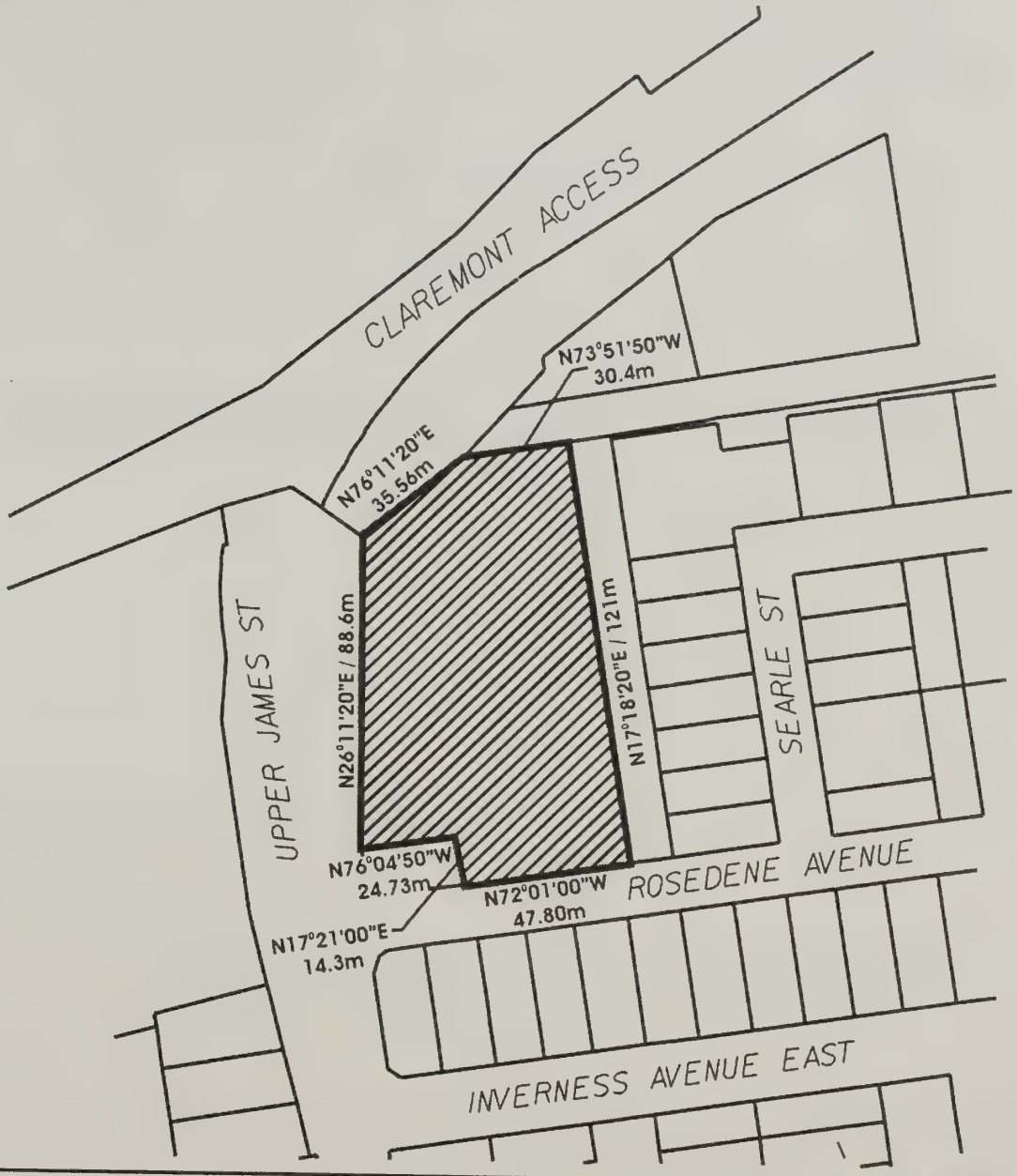
4. Sheet No. E-6 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1491.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 304

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 304
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
21 Rosedene Avenue

Modification to the "C"
(Urban Protected Residential, Etc.)
District

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-03-68
	Date	Drawn By
	October 16, 2003	NB

CA4 HBL A08
B91

Authority: Item 10, Hearings Sub-Committee
Report: 03-032 (PD03239)
CM: October 15, 2003

Bill No. 305

CITY OF HAMILTON

BY-LAW NO. 03 -305

To Adopt:

Official Plan Amendment No. 190 to the former City of Hamilton Official Plan;

Respecting:

1719 – 1755 Upper James Street

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 190 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October, 2003

MAYOR

CITY CLERK

CAT HQL ADB
1P8

Schedule "1"

Amendment No. 190

to the

City of Hamilton Official Plan

The following text together with Schedule "A" – Land Use Concept, and Schedule "B" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 190.

Purpose:

The purpose of this Amendment is to (1) redesignate the subject lands from "Residential" to "Commercial", (2) extend "Special Policy Area 31" to the subject lands to permit the development of a car dealership and (3) establish site specific policies prohibiting restaurant uses and requiring buffer areas on the subject lands.

Location:

The lands affected by this Amendment are generally the rear half of the lots municipally known as 1719 to 1755 Upper James Street within the Allison Neighbourhood.

Basis:

The basis for permitting the proposed commercial use is as follows:

- The proposal is consistent and compatible with the existing commercial uses of the Upper James Street frontage.
- The extension of the commercial area is necessary to accommodate a proposed car dealership.
- The subject lands are well suited for Commercial development given their location on a major arterial road.
- Noise and visual impacts on the adjacent neighbourhood will be reduced by use of berms and fencing.

Actual Changes:

1) Schedule "A" – Land Use Concept – be revised by redesignating the subject lands from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.

2) Schedule "B" – Special Policy Areas – be revised by extending the lands of Special Policy Area 31 and annotating the area as "31d", as shown on the attached Schedule "B" of this Amendment.

3) The following new policy be added to Subsection A.2.9.3. – Other Policy Areas as policy A.2.9.3.26 (d):

"in AREA 31d, notwithstanding the permitted uses set out in Subsection A.2.2 – Commercial Uses, for those lands known municipally as 1719 – 1755 Upper James Street and shown on Schedule "B" as SPECIAL POLICY AREA 31d, restaurant uses and hotels will not be permitted. To minimize impacts of future commercial development on existing residential uses to the east of the subject lands, a 12 metre buffer area will be established along the eastern edge of the subject lands which will include berms and fencing. Vehicular access to the commercial properties from Bartlett Avenue will be prohibited."

Implementation:

A Zoning By-law amendment and site plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-305, passed on the 29th day of October, 2003.

The Corporation of the

City of Hamilton

Mayor

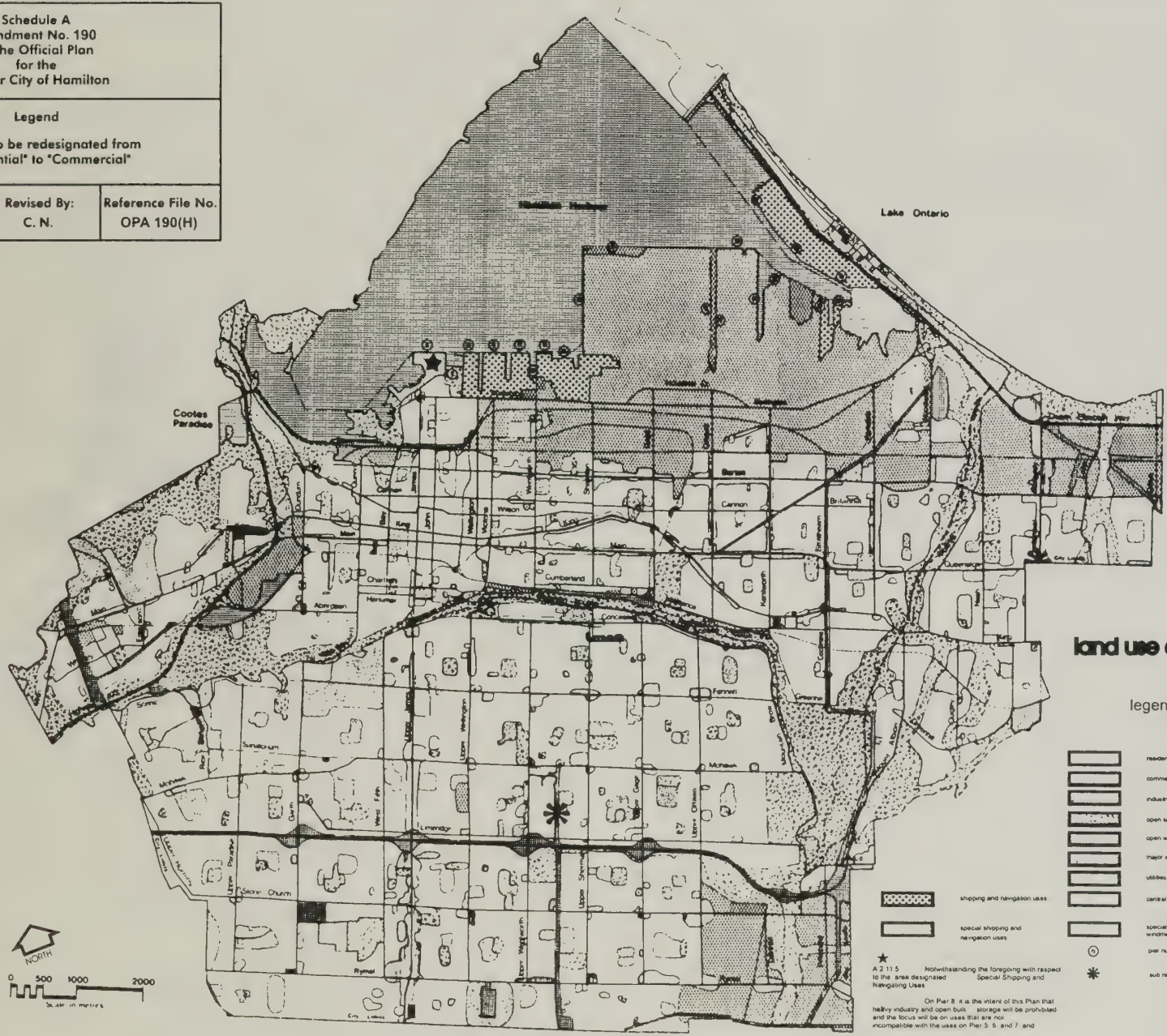
City Clerk

Schedule A
Amendment No. 190
to the Official Plan
for the
former City of Hamilton

Legend

Lands to be redesignated from "Residential" to "Commercial"

Date:	Revised By:	Reference File No.
October 2003	C. N.	OPA 190(H)


Lake Ontario
Cootes Paradise
Cumberland
Main
King
Wilson
Cannon
Barton
Britannia
Queenston
Kenilworth
Parkdale
Fennell
Mohawk
Limeridge
Rymal
Upper Wentworth
Upper Sherman
Upper Gage
Upper Ottawa
Upper Wellington
Upper James
Upper Paradise
Upper Kenilworth
Upper Centennial
Upper Red Hill Valley
Upper Mountain
Upper Queenston
Stone Church
Sanatorium
Abbington
Charlton
Hillcrest
Aberdeen
Strathcona
Dundurn
Bay
Wellington
Hughson
Catharine
Ferguson
Wentworth
Dalton
Ottawa
Sherman
Gage
Kenilworth
Parkdale
Centennial
Red Hill Valley
Mountain
Queenston
Mohawk
Limeridge
Rymal
Stone Church
Sanatorium
Fennell

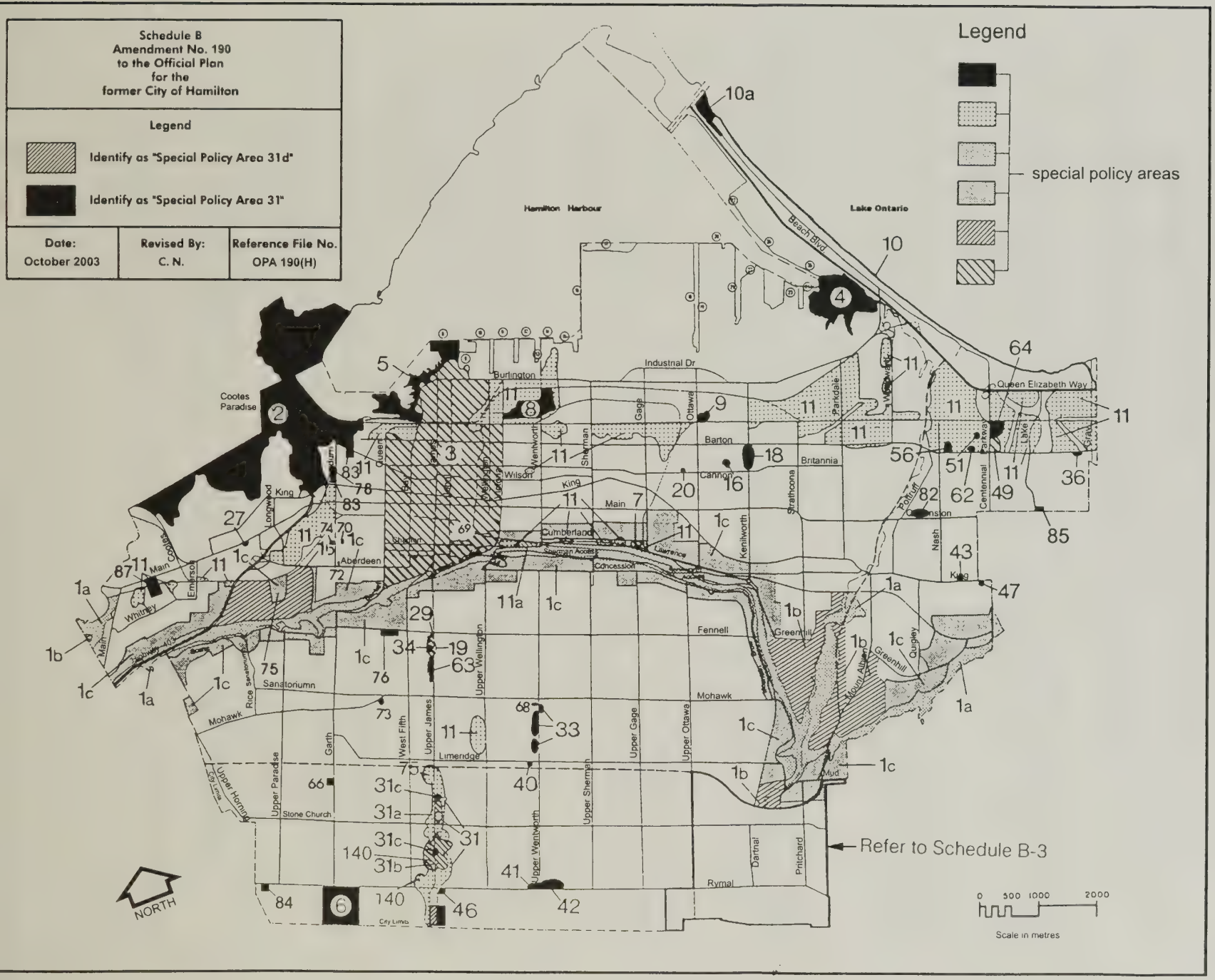
Schedule B
Amendment No. 190
to the Official Plan
for the
former City of Hamilton

Legend

Identify as "Special Policy Area 31d"

Identify as "Special Policy Area 31"

Date:	Revised By:	Reference File No.
October 2003	C. N.	OPA 190(H)



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A.2.9.1	56	A.2.9.3.51
1(b)	A.2.9.1	62	A.2.9.3.57
1(c)	A.2.9.1	63	A.2.9.3.58
2	A.2.9.2	64	A.2.9.3.59
3	A.2.9.3	65	A.2.9.3.60
	A.2.9.3.1	66	A.2.9.3.61
4	A.2.9.3.2	67	"Deleted"
5	A.2.9.3.3	68	A.2.9.3.63
6	A.2.9.3.4	69	A.2.9.3.64
7	A.2.9.3.5	70	A.2.9.3.65
8	A.2.9.3.6	71	A.2.9.3.66
9	A.2.9.3.7	72	A.2.9.3.67
10	A.2.9.3.8	73	A.2.9.3.68
10a	A.2.9.3.8	74	A.2.9.3.69
11	A.2.9.3.9	75	A.2.9.3.70
11(a)	A.2.9.3.9	76	A.2.9.3.71
16	A.2.9.3.14	77	A.2.9.3.72
17	"Deleted"	78	A.2.9.3.73
18	A.2.9.3.16	79	"Deleted"
19	A.2.9.3.17	80	Denied by OMB
20	A.2.9.3.18	81	A.2.9.3.76
26	A.2.9.3.21	82	A.2.9.3.77
27	A.2.9.3.22	83	A.2.9.3.78
29	A.2.9.3.24	84	Pending
30	A.2.9.3.25	85	A.2.9.3.80
31	A.2.9.3.26	86	A.2.9.3.81
31(a)	A.2.9.3.26	87	A.2.9.3.82
31(b)	A.2.9.3.26	—	A.2.9.3.__
31(c)	A.2.9.3.26		
32	A.2.9.3.27		
33	A.2.9.3.28		
34	A.2.9.3.29		
35	A.2.9.3.30		
36	A.2.9.3.31		
37	A.2.9.3.32		
38	"Deleted"		
40	A.2.9.3.35		
41	A.2.9.3.36		
42	A.2.9.3.37		
43	A.2.9.3.38		
45	A.2.9.3.40		
46	A.2.9.3.41		
47	A.2.9.3.42		
48	"Deleted"		
49	A.2.9.3.44		
50	A.2.9.3.45		
51	A.2.9.3.46		
53	"Deleted"		
54	"Deleted"		
55	A.2.9.3.50		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B

to the official plan
for
the City of Hamilton

October 2002

CA+ HBL A08
B91

Authority: Item 10, Hearings Sub-Committee
Report: 03-032 (PD03239)
CM: October 15, 2003

Bill No. 306

CITY OF HAMILTON

BY-LAW NO. 03-306

To Amend Zoning By-law No. 6593
Respecting Lands Located at 1731 – 1745 Upper James Street

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 10 of Report 03-032 of the Hearing Sub Committee at its meeting held on the 15th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 190 proposed by the Corporation of the City of Hamilton as By-law No.03-298, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9e of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

   (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;

   the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

CAT HBR ASE
191

2. The "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

   (a) That notwithstanding Section 14A (1) of Zoning By-law No. 6593, an automobile body/fender repair shop shall be permitted provided that it is accessory to and located within the same building as an automobile sales and leasing establishment;

   (b) That Subsection 14A (1) (b) and 14A (1) (ca) of Zoning By-law No. 6593 shall not apply to the subject lands;

   (c) That notwithstanding Section 14A (7) (b) of Zoning By-law No. 6593, a minimum 3.0 metre wide landscape area shall be provided and maintained along the entire westerly lot line except for any area used for driveway access;

   (d) That in addition to the requirements of Subsection 14A and 18A of Zoning By-law 6593, a minimum 12 metre wide landscape planting strip incorporating a berm shall be provided and maintained along the easterly lot line; and,

   (e) Outdoor speakers shall be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1490.

5. Sheet No. E-9e of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1490.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK

This is Schedule "A" to By-Law No. 03— 306

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-306
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
1731-1745 Upper James Street
Change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-57/OPA-03-17
	Date	Drawn By
	August 20, 2003	NM

CA4 HBL A08
B91

Authority: Item 8, Hearings Sub-Committee
Report 03-034 (PD03276)
CM: October 29, 2003

Bill No. 307

CITY OF HAMILTON

BY-LAW NO. 03-307

To Adopt:

Official Plan Amendment No.104 to the Former City of Stoney Creek Official Plan;

Respecting:

Lands municipally known as

1306, 1326 and 1340 Baseline Road

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 104 to the Official Plan of the Former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October 2003

MAYOR

CLERK

CA4 HBL A08
B91

Schedule "1"

Amendment No. 104
to the
Official Plan for the former City of Stoney Creek

The following text together with Schedules "A", General Land Use Plan and "B", Secondary Plan, Urban Lakeshore Area, attached hereto, constitute Official Plan Amendment No. 104.

Purpose:

The purpose of this Amendment is to redesignate the subject land from "Highway Commercial" to "Low Density Residential" and "Medium Density Residential" to permit a plan of subdivision.

Location:

The lands affected by this Amendment have an area of 3.93 hectares (9.7 acres) and known municipally as 1306, 1326 and 1340 Baseline Road within the Winona North Neighbourhood.

Basis:

The intent of the Amendment is to permit the development of residential plan of subdivision. The basis for this Amendment is as follows:

- The proposed development can be properly accommodated with existing services and community facilities; and

- The proposed development pattern is consistent with and compatible with existing planned development in the Winona North Neighbourhood.

Actual Changes:

1) Schedule "A" be revised by redesignating the subject land from "Highway Commercial" to "Residential" and identifying the subject lands as OPA No.104 as shown on the Schedule "A" to this Amendment.

2) Schedule "A4" be revised by redesignating the subject land from "Highway Commercial" to "Low Density Residential" and "Medium Density Residential" and by identifying the subject lands as OPA No. 104 as shown on the attached Schedule "B" to this Amendment.

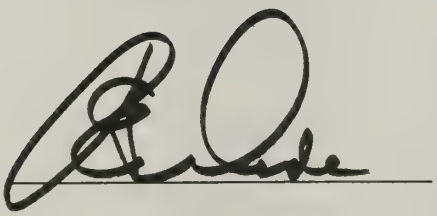
Implementation:

An implementing Zoning By-Law Amendment and subdivision Plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-307, passed on the 29th day of October, 2003

The

City of Hamilton



Mayor

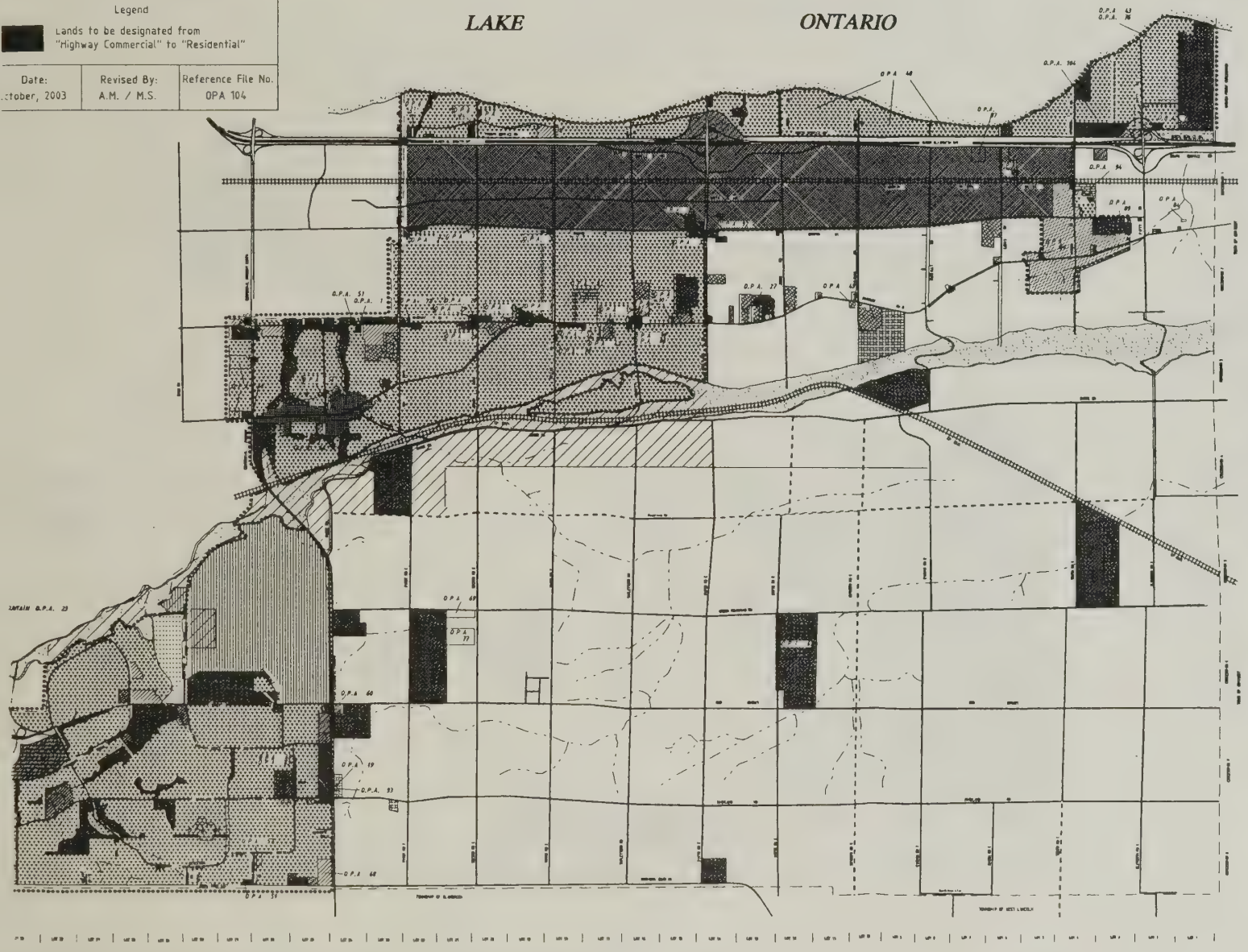
City Clerk

Schedule A
Amendment No. 104
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands to be designated from "Highway Commercial" to "Residential"

Date:	Revised By:	Reference File No.
ctober, 2003	A.M. / M.S.	OPA 104



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

Legend

Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Medium Density Residential
- Special Policy Area 'A'
- Special Policy Area 'B'
- Special Policy Area 'C' (West Mountain Core Area)
- Municipal Boundary
- Business Improvement Area (B.I.A.)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A. Official Plan Amendment
- Sub-Regional Centre

N

CITY OF STONEY CREEK
PLANNING DEPARTMENT

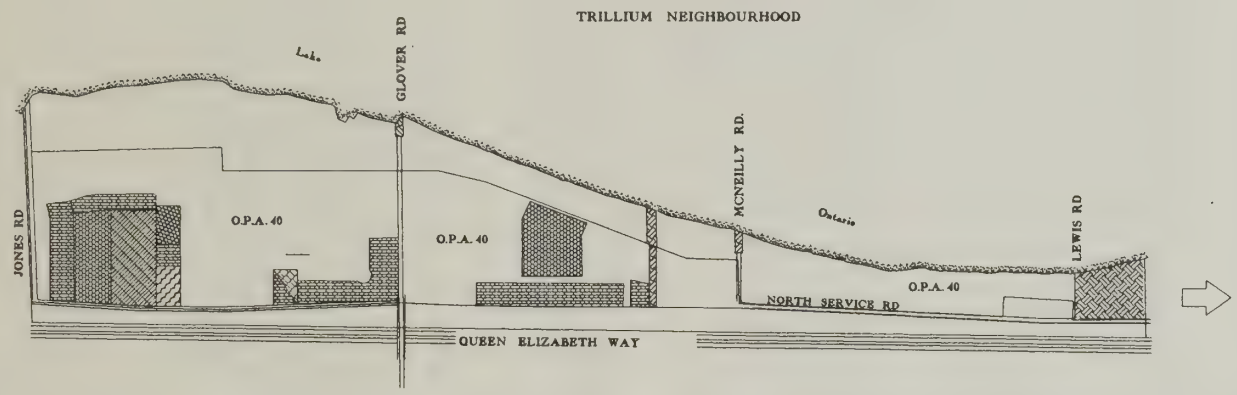
October 200.

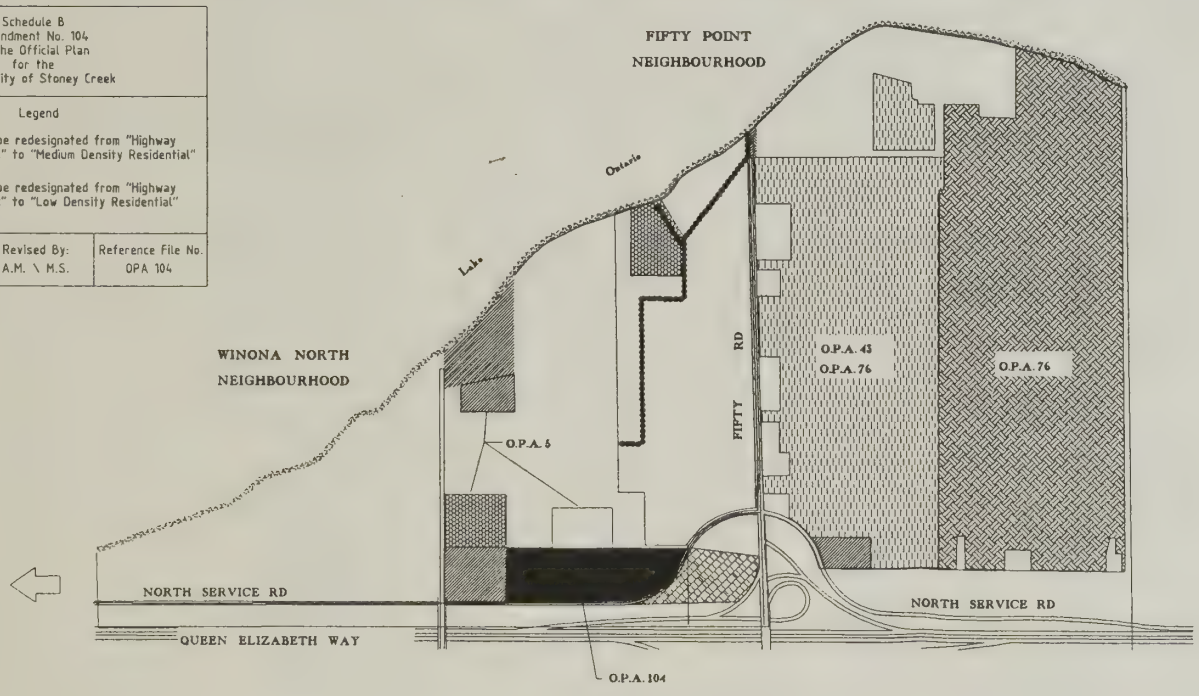
CITY OF STONEY CREEK
OFFICIAL PLAN

Schedule "B"

Secondary Plan

Urban Lakeshore Area





Legend

Land Use Designations

- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- Institutional
- Elementary School
- Off Street Bikeway & Walkway
- On Street Bikeway
- Municipal Boundary
- District Boundary
- Collector Road
- Open Space-Special Park
- Neighbourhood Park
- Local Commercial
- General Commercial
- Highway Commercial
- Special Policy Area "B"

Scale: 1:5000

CITY OF STONEY CREEK
PLANNING DEPARTMENT

Updated January 17th, 2000

CAT HBL ADB

B91

Authority: Item 8, Hearings Sub- Committee
Report 03-034 (PD03276)
CM: October 29, 2003

Bill No. 308

CITY OF HAMILTON

BY-LAW NO. 03-308

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 1306, 1326 and 1340 Baseline Road

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R3" and Multiple Residential "RM3" Zones, the lands comprised of Blocks 1 and 2, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

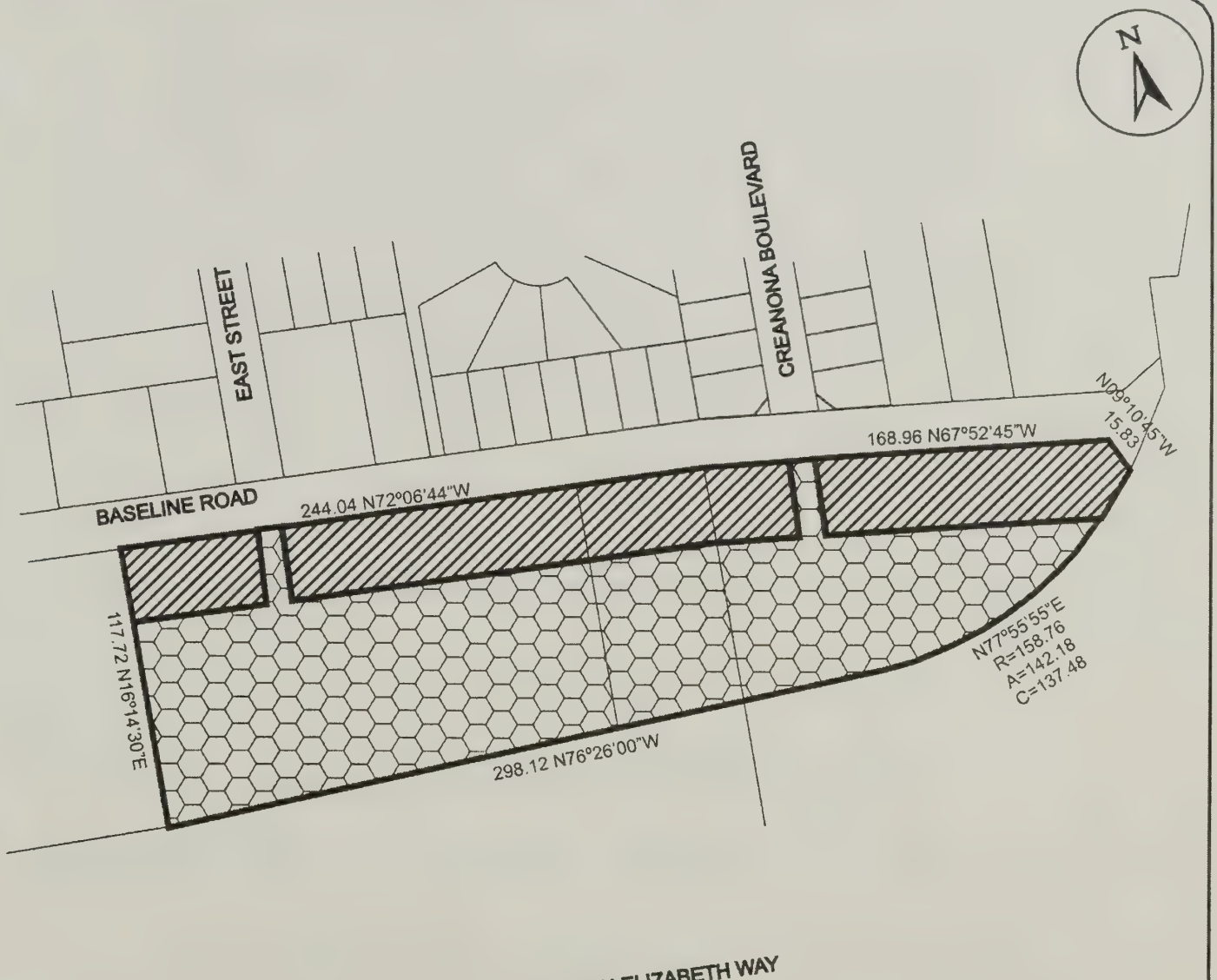
CAT HBL NOV
1981

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—308

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-308
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Lands to be rezoned from the Neighbourhood Development "ND" Zone to the:

BLOCK 1: Single Residential "R3" Zone

BLOCK 2: Multiple Residential "RM3" Zone

North	Scale	Reference File No.
	NOT TO SCALE	*OPA-03-21&ZAC-03-71*
	Date	Drawn By
	September 26, 2003	*CL*

CA4 HBL A08

B91

Authority: Item 11, Hearings Sub-Committee
Report: 03-032 (PD03241)
CM: October 29, 2003

Bill No. 309

CITY OF HAMILTON

BY-LAW NO. 03-309

To Adopt:

Official Plan Amendment No.103 to the Former City of Stoney Creek Official Plan;

Respecting:

Lands municipally known as
427 Highway No. 8 and 171 and 173 Margaret Ave

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 103 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29 day of October 2003

MAYOR

CLERK

CAT HBL AOE
191

Schedule "1"

Amendment No. 103

to the

former City of Stoney Creek Official Plan

The following text together with Schedule "A", General Land Use Plan and Schedule "B", Secondary Plan - Western Development Area, attached hereto, constitutes Official Plan Amendment No. 103.

Purpose:

The purpose of this Amendment is to redesignate the subject lands from Residential and Low Density Residential to General Commercial in order to permit the development of a commercial establishment for automotive sales, service and repair. The effect of this amendment will be to redesignate the subject land to General Commercial to allow for all uses permitted by this designation.

Location:

The lands affected by this Amendment are 0.13 hectares (0.33 acres) of land, known municipally as 427 Highway No. 8 and 171 and 173 Margaret Avenue, located at the north-west corner of Margaret Avenue and Highway No. 8, in within the Guernsey Neighbourhood of the former City of Stoney Creek.

Basis:

The basis for the redesignation of the subject lands is as follows:

- the subject lands are located on an arterial road;
- the proposed use is compatible with uses in the immediate area along Highway No. 8; and
- the proposal provides for the redevelopment of a vacant building and under-utilised site, on Highway No. 8.

Actual Changes:

Schedule “A”, General Land Use Plan to the Stoney Creek Official Plan be revised by redesignating the subject lands from Residential to General Commercial and identifying the area as subject to OPA 103 as shown on Schedule "A" of this Amendment.

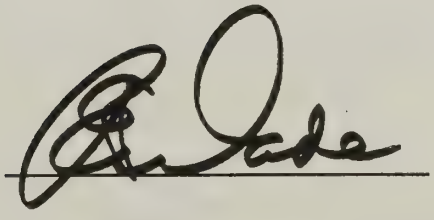
Schedule “A1”, Secondary Plan - Western Development Area of the Stoney Creek Official Plan be revised by redesignating the subject lands from Low Density Residential to General Commercial as shown on the attached Schedule "B" of this Amendment.

Implementation:

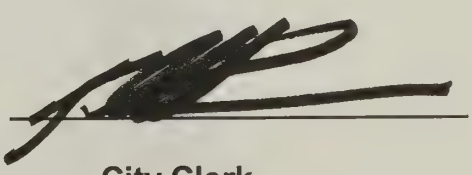
A Zoning By-law Amendment and Site Plan Control will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No. 03-309, passed on the 29 day of October, 2003.

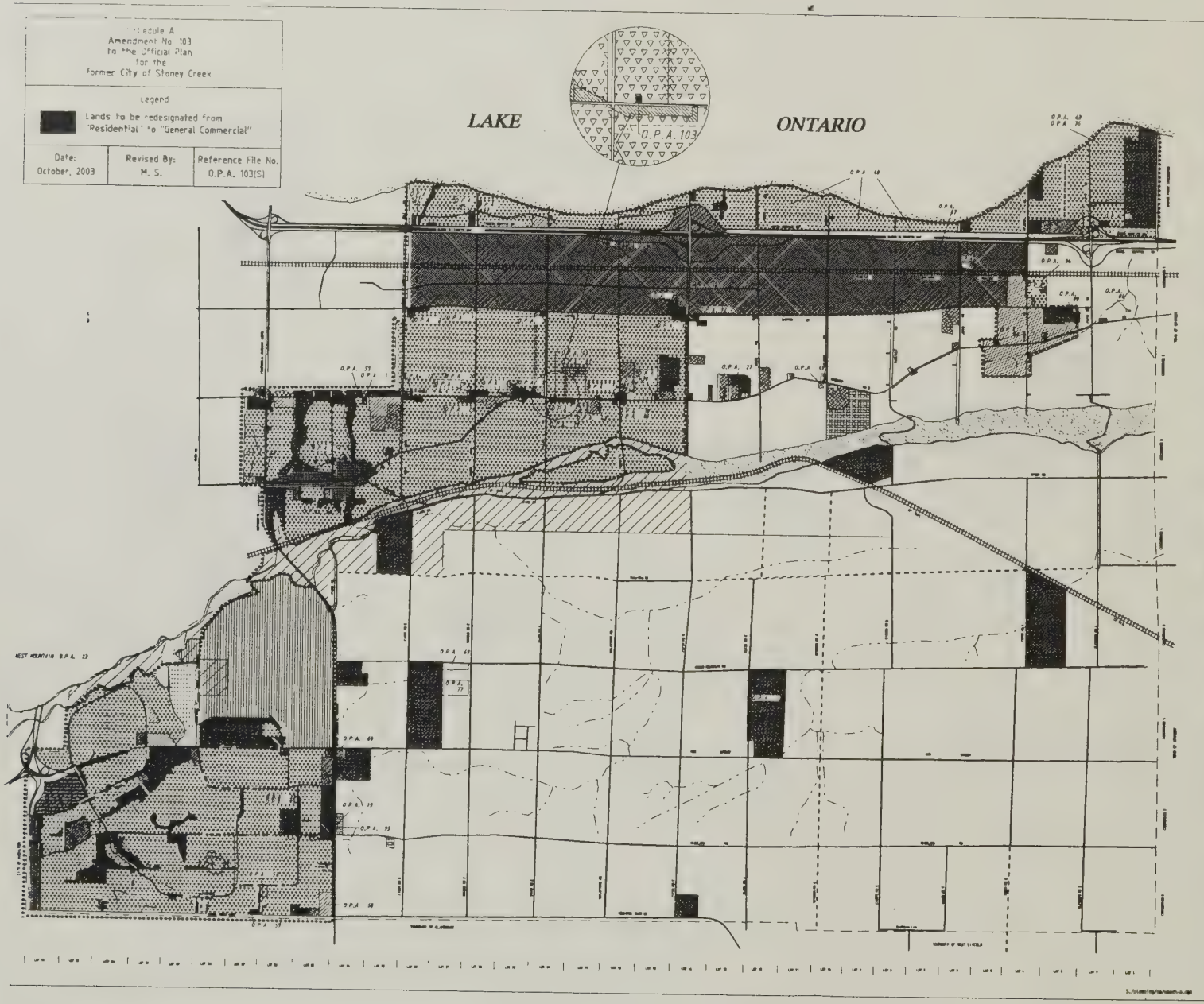
City of Hamilton



Mayor



City Clerk



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

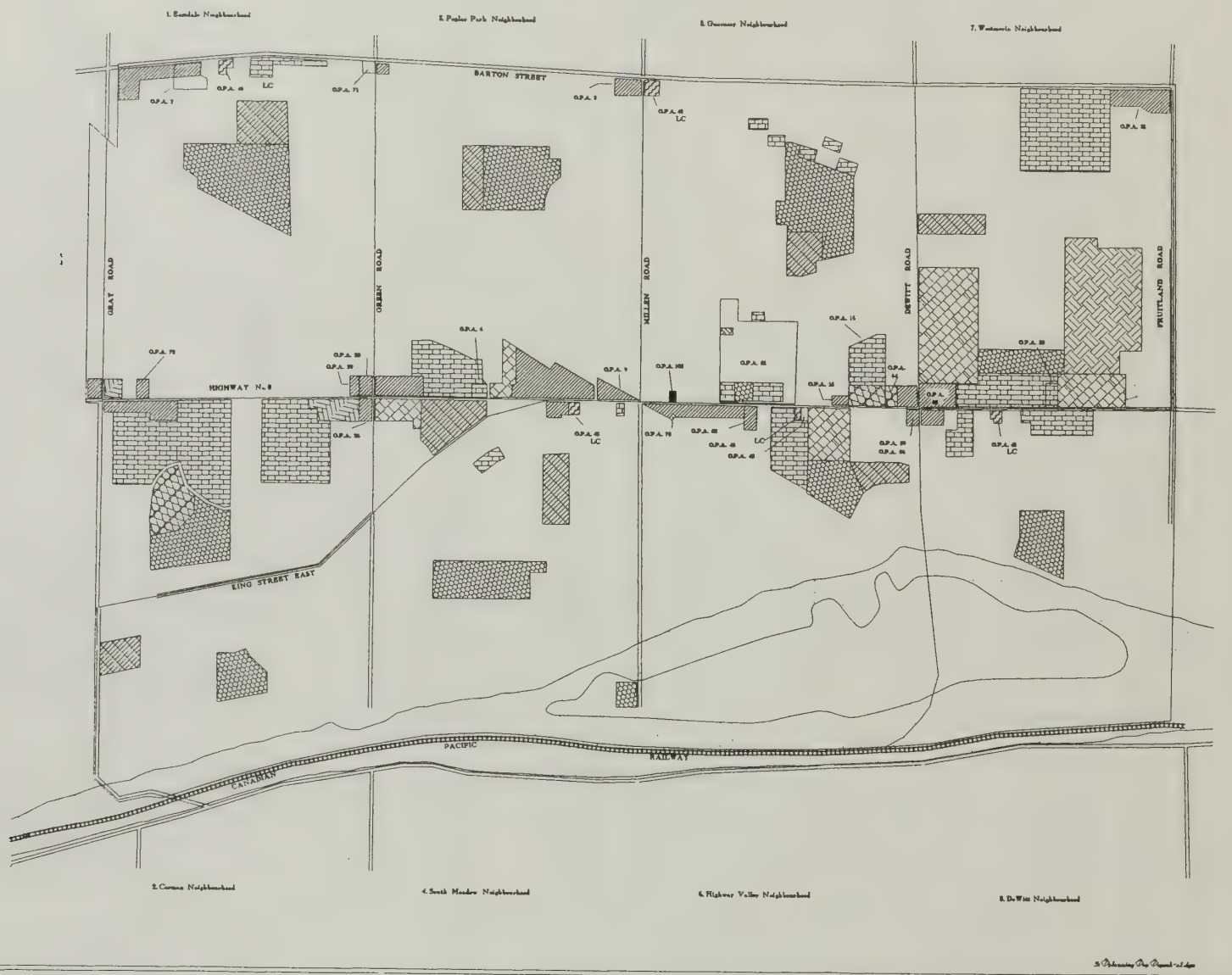
Legend

Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Medium Density Residential
- Special Policy Area 'A'
- Special Policy Area 'B'
- Special Policy Area 'C' (West Mountain Core Area)
- Municipal Boundary
- Business Improvement Area (B.I.A.)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A. Official Plan Amendment
- Sub-Regional Centre

CITY OF STONEY CREEK
PLANNING DEPARTMENT

October 2002



CITY OF STONEY CREEK
OFFICIAL PLAN

Schedule "A1" Secondary Plan

Western Development Area

Legend

Land Use Designations

- Community Shopping Centre
- General Commercial
- Local Commercial
- Highway Commercial
- Open Space - Community Park
- Neighbourhood Park
- Low Density Residential
- Medium Density Residential
- Medium - High Density Residential
- Elementary School
- Institutional
- Escarpment Natural Area

District Boundary

Arterial Road

Collector Road

O.P.A. *Official Plan Amendment*

Schedule A1 Amendment No. 103 to the Official Plan for the former City of Stoney Creek		
Legend Lands to be redesignated from "Low Density Residential" to "General Commercial"		
Date: October, 2003	Revised By: M. Sergi	Reference File No. O.P.A. 103(S)

CITY OF STONEY CREEK
PLANNING DEPARTMENT

Updated DECEMBER 11th, 2003

CA4 HBL A08
B91

Authority: Item 11, Hearings Subcommittee
Report 03-032 (PD03241)
CM: October 29, 2003

Bill No. 310

CITY OF HAMILTON

BY-LAW NO. 03-310

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands located at 427 Highway No. 8 and 171 – 173 Margaret Avenue**

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential "R2" Zone to a site-specific General Commercial "GC" Zone, for lands located at 427 Highway No. 8 and 171 – 173 Margaret Avenue, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

CAT HBL ACQ
TBJ

2. That Section 8.3.8, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special provision, "GC-51", to include the following:

"GC-51" 427 Highway No.8 and 171 to 173 Margaret Avenue, Schedule "A", Map No. 6

Notwithstanding the permitted uses in Subsection 8.3.2 of the General Commercial "GC" Zone, those lands zoned "GC-51" by this by-law shall be limited to a motor vehicle parts and accessories retail store including the installation of motor vehicle parts and accessories on site.

Notwithstanding the provisions of paragraphs (a), (e) and (g) of Section 8.3.3 of the General Commercial "GC" Zone, on those lands zoned "GC-51" by this By-law, the following provisions shall apply:

(1) Minimum Lot Frontage: 27 metres.

(2) Minimum Rear Yard: 10.8 metres.

(3) A landscaping strip having a minimum width of 4.5 metres shall be provided and maintained along the entire rear lot line with a 1.8 metre high continuous solid fence.

(4) A landscaping strip having a minimum width of 1.5 metres shall be provided and maintained along the entire east side lot line, with the exception of the proposed driveway access, and be planted with coniferous vegetation at a minimum height of 1.5 metres where it abuts parking spaces.

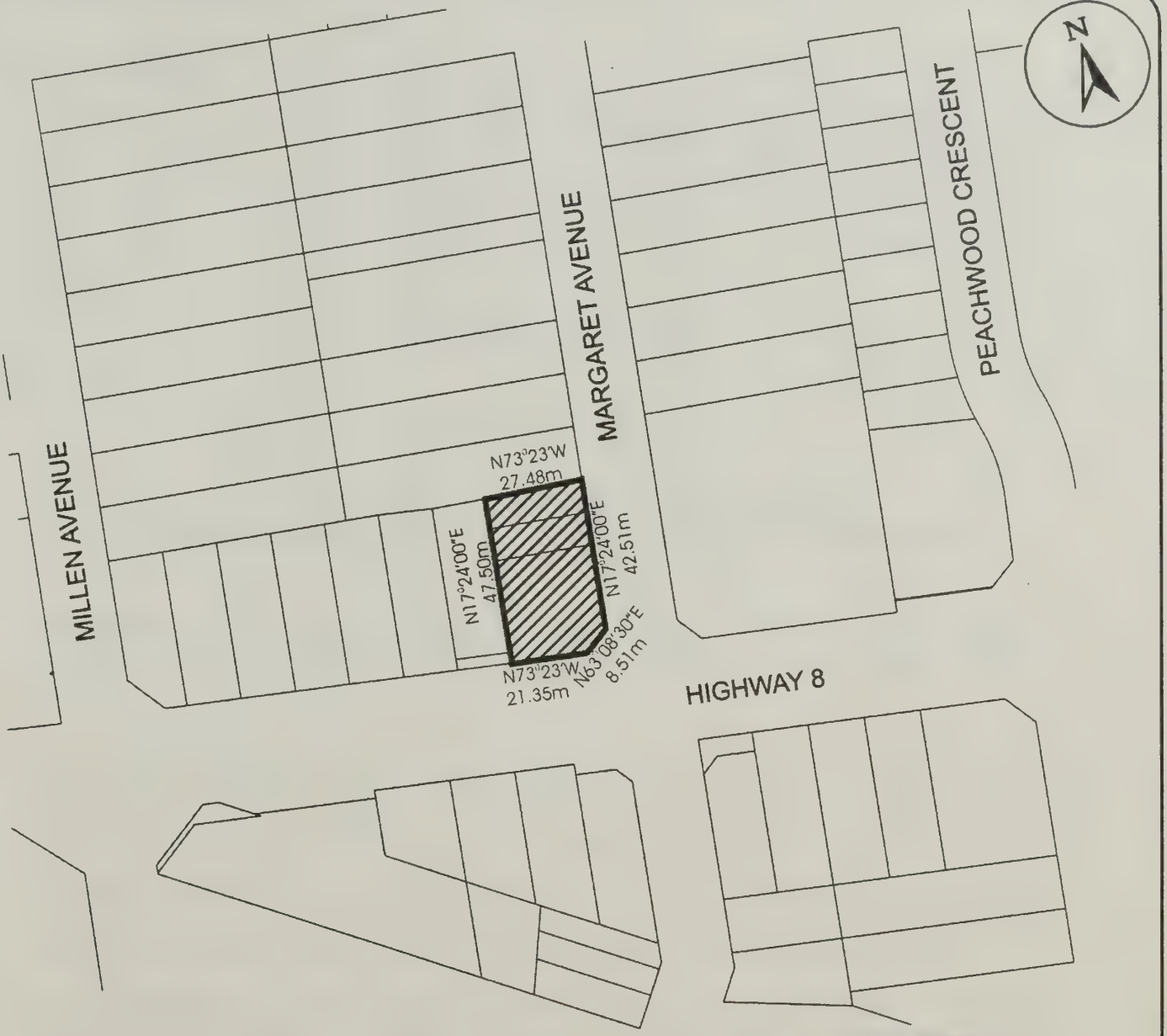
(5) A landscaped strip having a minimum width of 0.5 metres shall be provided and maintained along the entire west side lot line with a 1.8 metre high continuous solid fence."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 310

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 310
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
427 Highway #8, 171 Margaret Ave, and 173 Margaret Ave.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-46/OPA-03-15
	Date	Drawn By
	October 21, 2003	NB

CA4 HBL A08

B91

Authority: Item 23, Hearings Sub-Committee
Report 03-034 (PD03228)
CM: October 29, 2003

Bill No. 311

CITY OF HAMILTON

BY-LAW NO. 03-311

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 2200 Rymal Road East (Glanbrook)

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exceptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting special exception "M6-025" in its entirety and replacing it with the following text:

CA4 HBL A08
B91

"M6-025 **2200 RYMAL ROAD EAST, PART OF LOT 5, BLOCK 3, CONCESSION 1, FORMER TOWNSHIP OF GLANBROOK**

In addition to the uses permitted in the Rural Industrial-Business Park "M6" Zone, the following additional uses shall also be permitted:

1. A Motor Vehicle Gasoline Bar subject to the regulations of SECTION 26: MOTOR VEHICLE SERVICE "C4" ZONE of this By-law;
2. One (1) Spa/Hot Tub Sales Establishment including the sale of accessory items related only to spa/hot tub sales, in which no more than 75 per cent of the gross floor area may be used for retail or showroom space;
3. One (1) Convenience Retail Store;
4. One (1) Veterinary Service Establishment;
5. A maximum of three (3) professional offices, of which not more than two (2) may be used as medical offices. There shall be a maximum of two (2) practitioners in each of the two (2) Medical Offices permitted, notwithstanding the definition of "Medical Centre" in Section 4 of this By-law. "Medical Offices", for the purposes of the "M6-025" Zone, are defined as offices of medical practitioners, dentists, chiropractors, physiotherapists, osteopaths or other drugless practitioners, for public or private medical, surgical, physio-therapeutic or other human health purpose."

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK

CA4 HBL A08
B91

Authority: Item 9, Hearings Sub-Committee
Report 03-032 (PD03238)
CM: October 15, 2003

Bill No. 312

CITY OF HAMILTON

BY-LAW NO. 03-312

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located at 2080 Rymal Road East

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exceptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "J" – Rymal Road Planning Area, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:

   (a) by changing from the General Agricultural "A1-081" Zone to the site-specific Neighbourhood Commercial - Holding "H-C1-182" Zone, the lands comprised of Block 1;

CAT HBL A08
191

(b) by changing from the General Agricultural "A1-081" Zone to the site-specific Residential Multiple "RM2-173" Zone, the lands comprised of Blocks 2 and 4;

(c) by changing from the General Agricultural "A1-081" Zone to the site-specific Residential Multiple "RM3-175" Zone, the lands comprised of Block 3;

(d) by changing from the General Agricultural "A1-081" Zone to the site-specific Institutional "I-173" Zone, the lands comprised of Block 5;

(e) by changing from the General Agricultural "A1-081" Zone to the site-specific Residential Multiple "RM2-182" Zone, the lands comprised of Blocks 6 and 8;

(f) by changing from the General Agricultural "A1-081" Zone to the site-specific Residential "R4-173(B)" Zone, the lands comprised of Blocks 7, 9 and 12;

(g) by changing from the General Agricultural "A1-081" Zone to the site-specific Residential "R4-182" Zone, the lands comprised of Block 10;

(h) by changing from the General Agricultural "A1-081" Zone to the Open Space "OS2" Zone, the lands comprised of Block 11;

the extent and boundaries of which Blocks "1 to 12", inclusive, are shown on a plan hereto annexed as Schedule "A".

2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by applying the Holding Provision of Section 36(1) of The Planning Act, R.S.O. 1990 to Block 1 by introducing the holding symbol (H) as a suffix to a new special exception, "H-C1-182", as follows:

H-C1-182 The Holding Provision "H" may be removed by City Council and thereby give effect to the "C1-173" Zone provisions by enactment of an amending By-law at such time as the lands are consolidated with adjacent lands to ensure orderly development or, alternatively, shall be subject to the Owner demonstrating to the satisfaction of the Director of Development and Real Estate that the property can be developed on its own in accordance with the provisions of the "C1-173" Zone.

3. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding new special exceptions "R4-182" and "RM2-182" as follows:

R4-182 Notwithstanding Subsection 16.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION 16: RESIDENTIAL "R4" ZONE**, the following regulations shall apply to those lands zoned site-specific Residential "R4-182":

(a) Minimum Lot Frontage – 11 metres, except on a corner lot the minimum frontage shall be 14 metres; and,

(b) All other zone provisions of the Residential "R4-173(B)" Zone shall apply.

RM2-182 Notwithstanding Subsection 18.1 **PERMITTED USES** of **SECTION 18: RESIDENTIAL MULTIPLE "RM2" ZONE**, the following permitted uses shall apply to those lands zoned site-specific Residential Multiple "RM2-182":

(a) Street townhouse dwellings in accordance with the provisions of the site-specific Residential Multiple "RM2-173" Zone; or,

(b) Single detached and semi-detached dwellings in accordance with the provisions of the site-specific Residential "R4-173(A)" Zone; and,

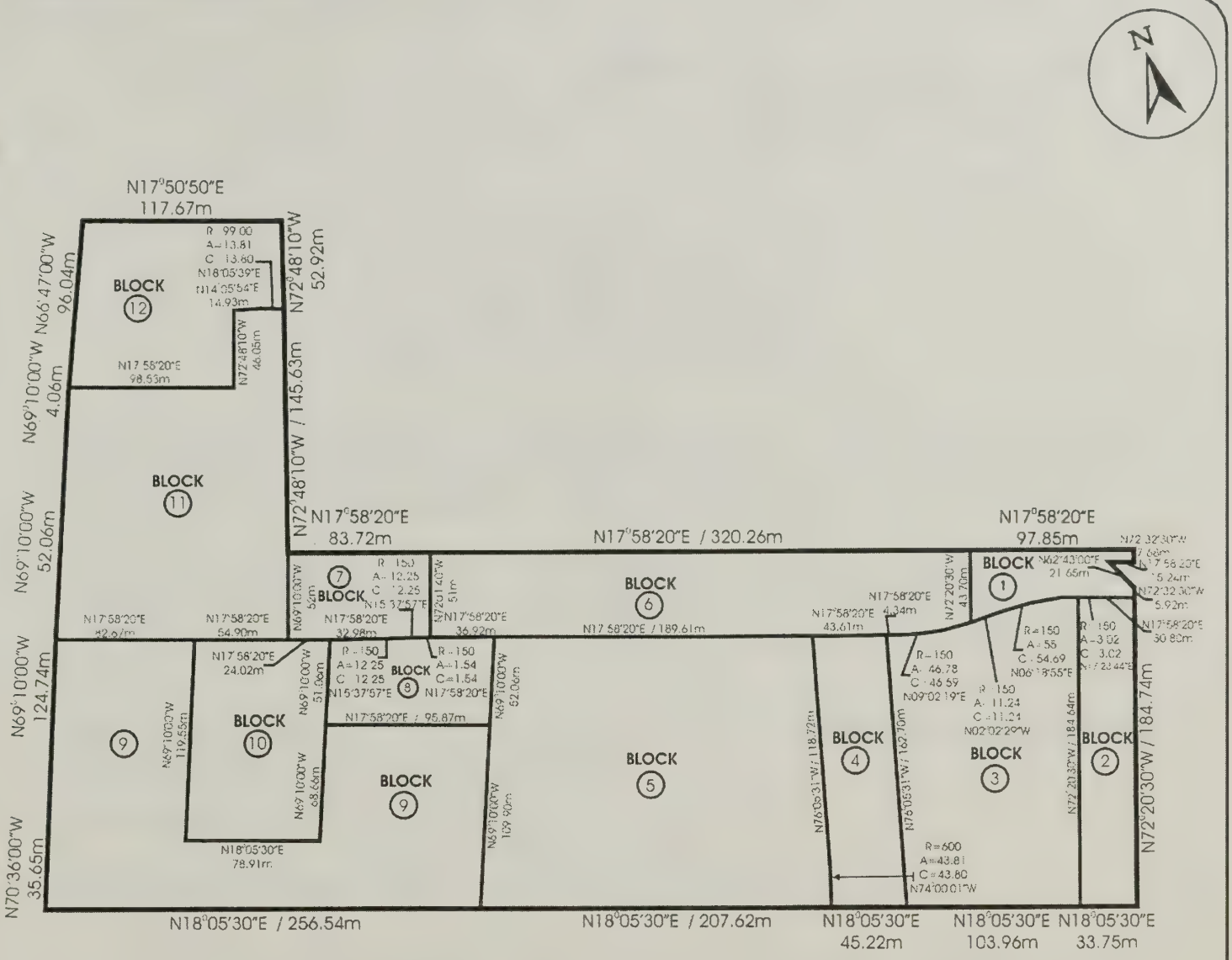
(c) Uses, buildings and structures accessory to the uses described in Paragraph (a) and (b) of this Subsection.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—312

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-312
to Amend By–Law No. 464

Hamilton

Planning and Development Department

Proposed Zoning

Subject Property

Rezone from the General Agriculture "A1-081" Zone to:

Block 1 - Neighbourhood Commercial - Holding "H-C1-182" Zone
Blocks 2 and 4 - Residential Multiple "RM2-173" Zone
Block 3 - Residential Multiple "RM3-175" Zone
Black 5 - Institutional "I-173" Zone
Blacks 6 and 8 - Residential Multiple "RM2-182" Zone
Blocks 7,9 and 12 - Residential "R4-173(B)" Zone
Block 10 - Residential "R4-182" Zone
Block 11 - Open Space "OS2" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-04
	Date	Drawn By
	October 21, 2003	NB

CA4 HBL A08
B91

Authority: Item 7, Committee of the Whole
Report 03-030 (PW03153)
CM: October 29, 2003

Bill No. 313

CITY OF HAMILTON
BY-LAW NO. 03-313
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Graywood	Northbound	Glenview
Graywood	Southbound	Brigadoon"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 29th day of October, 2003

MAYOR

CLERK

CAT HBL A08
B91

CA4 HBL A08
B91

Authority: Item 8, Committee of the Whole
Report 03-30 (PW03152)
CM: October 29, 2003

Bill No. 314

CITY OF HAMILTON
BY-LAW NO. 03-314
To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   "Tecumseh Eastbound Locke"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 29th day of October, 2003

MAYOR

CLERK

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B91

CA4 HBL A08
B91

Authority: Item 47, Committee of the Whole
Report 03-002 (FCS03001)
CM: March 3, 2003
Item 14, Committee of the Whole
Report 03-013 (FCS03089)
CM: May 14, 2003

BILL NO. 315

CITY OF HAMILTON

BY-LAW NO. 03-315

A BY-LAW TO AMEND BY-LAW 03-107 (A BY-LAW TO SET AND LEVY THE RATES OF TAXATION FOR THE YEAR 2003)

WHEREAS the Council of the City of Hamilton enacted By-law No. 03-107 to set the levy and rates of taxation for the current taxation year;

AND WHEREAS Ontario Regulation 223/03 made under The Education Act amended the City of Hamilton's 2003 education tax rates for the Commercial and Industrial property classes as previously set by Ontario Regulation 74/03;

AND WHEREAS the Council of the City of Hamilton wishes to amend Schedules "B" and "C" of By-law No. 03-107 to provide for these updated Commercial and Industrial education tax rates, which requires additions and changes to the contents of Schedules "B" and "C" of By-law No. 03-107, and the Council of the City of Hamilton deems it expedient to re-enact the full Schedules "B" and "C" in amended form for ease of reference;

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1. By-law No. 03-107 is hereby amended as follows:

    a) Schedule "B" to By-law No. 03-107 is hereby repealed and replaced with Schedule "B" to this By-law;
    b) Schedule "C" to By-law No. 03-107 is hereby repealed and replaced with Schedule "C" to this By-law.

2. Schedules "B" and "C" are attached to and form a part of this by-law.

3. This by-law comes into force and effect on the date of enactment.

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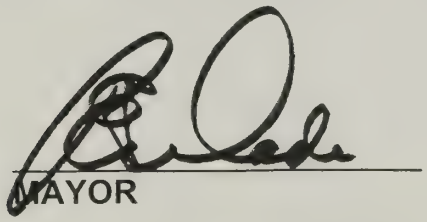
B91

4. In all other respects, By-law No. 03-107 is confirmed without change.

PASSED AND ENACTED THIS 29TH DAY OF OCTOBER, 2003.



MAYOR

CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 03- (A BY-LAW TO AMEND BY-LAW 03-107)

2003 TAX RATES AND LEVY - TOTAL TAX LEVY

Property Class		General Levy	Storm Sewers Levy	Culture & Recreation Levy	Fire Levy	Financial (Other) Levy	Transit Levy	Education Levy	Total All Levies
1 Residential	RT	241,637,948	5,564,565	12,770,561	28,280,358	(1,273,997)	12,332,617	77,304,472	**376,616,525**
1 Land Awaiting Development	C1	12,302	246	606	1,463	43	593	3,936	**19,189**
2 Multi-Residential	MT	46,394,735	1,603,533	3,194,075	6,846,384	(10,841)	3,489,036	5,525,220	**67,042,141**
3a Commercial - Residual	CT	50,340,565	1,388,792	2,985,295	6,518,528	(139,376)	3,061,891	53,767,381	**117,923,075**
- vacant bldg, excess land	CU	795,255	12,710	32,840	79,723	(7,090)	29,400	849,390	**1,792,228**
Commercial - Office Building	DT	1,002,367	38,242	74,154	155,643	(78)	82,415	1,070,601	**2,423,344**
- vacant bldg, excess land	DU	-	-	-	-	-	-	-	**-**
3b Commercial - Parking Lot	GT	346,980	13,203	25,631	53,826	-	28,454	370,600	**838,695**
- vacant land	CX	1,642,227	36,430	84,710	192,985	(3,835)	84,012	1,754,017	**3,790,546**
3c Commercial - Shopping	ST	15,707,162	503,899	1,049,344	2,219,102	(9,928)	1,105,762	16,776,391	**37,351,732**
- vacant bldg, excess land	SU	45,211	1,519	3,037	6,457	(175)	3,257	48,288	**107,595**
4a Industrial - Residual	IT	10,485,001	225,841	517,970	1,232,225	(26,763)	520,578	7,055,275	**20,010,126**
- vacant bldg, excess land,	IU	3,591	137	266	558	-	296	2,416	**7,264**
- vacant land	IX	13,555	231	612	1,366	(124)	490	9,121	**25,251**
4b Industrial - Large	LT	20,825,033	716,384	1,422,093	3,086,890	19,842	1,579,497	11,950,082	**39,599,821**
- vacant bldg, excess land	LU	37,573	1,436	2,783	5,841	-	3,094	21,560	**72,286**
5 Pipelines	PT	2,799,565	39,618	106,295	235,119	(53,420)	67,868	2,761,098	**5,956,142**
6 Farm	FT	1,107,705	4,804	24,603	58,296	(29,120)	-	393,750	**1,560,038**
7 Managed Forests	TT	19,898	69	455	1,044	(678)	-	6,366	**27,155**
TOTAL		**393,216,670**	**10,151,660**	**22,295,330**	**48,975,810**	**(1,535,540)**	**22,389,260**	**179,669,964**	**675,163,154**

BY-LAW NO. 03- (A BY-LAW TO AMEND BY-LAW 03-107)

Schedule "C"

2003 TAX RATES AND LEVY - GENERAL PURPOSES AND PROVINCIAL EDUCATION

Property Class		Current Value Assessment	GENERAL RATES AND LEVY						Total General Rate	Total General Levy	Education Rate	Education Levy
			Other General Rate	Other General Levy	Social & Public Health Services Rate*	Social & Public Health Services Levy	Police Rate	Police Levy				
1 Residential	RT	23,075,961,802	0.00540356	124,692,388	0.00285750	65,939,483	0.00221036	51,006,077	0.01047141	241,637,948	0.00335000	77,304,472
1 Land Awaiting Development	C1	2,136,000	0.00297196	6,348	0.00157162	3,357	0.00121570	2,597	0.00575928	12,302	0.00184250	3,936
2 Multi-Residential	MT	1,649,319,430	0.01451572	23,941,067	0.00767617	12,660,449	0.00593773	9,793,219	0.02812962	46,394,735	0.00335000	5,525,220
3a Commercial - Residual	CT	2,287,973,657	0.01135382	25,977,233	0.00600409	13,737,208	0.00464434	10,626,124	0.02200225	50,340,565	0.02350000	53,767,381
- vacant bldg, excess land	CU	51,634,641	0.00794767	410,375	0.00420287	217,013	0.00325104	167,866	0.01540157	795,255	0.01645000	849,390
Commercial - Office Building	DT	45,557,487	0.01135382	517,251	0.00600409	273,531	0.00464434	211,584	0.02200225	1,002,367	0.02350000	1,070,601
- vacant bldg, excess land	DU	-	0.00794767	-	0.00420287	-	0.00325104	-	0.01540157	-	0.01645000	-
3b Commercial - Parking Lot	GT	15,770,200	0.01135382	179,052	0.00600409	94,686	0.00464434	73,242	0.02200225	346,980	0.02350000	370,600
- vacant land	CX	74,639,030	0.01135382	847,438	0.00600409	448,140	0.00464434	346,649	0.02200225	1,642,227	0.02350000	1,754,017
3c Commercial - Shopping	ST	713,888,960	0.01135382	8,105,364	0.00600409	4,286,256	0.00464434	3,315,542	0.02200225	15,707,162	0.02350000	16,776,391
- vacant bldg, excess land	SU	2,935,455	0.00794767	23,330	0.00420287	12,337	0.00325104	9,543	0.01540157	45,211	0.01645000	48,288
4a Industrial - Residual	IT	300,224,462	0.01802176	5,410,573	0.00953022	2,861,204	0.00737190	2,213,223	0.03492387	10,485,001	0.02350000	7,055,275
- vacant bldg, excess land,	IU	158,161	0.01171414	1,853	0.00619464	980	0.00479173	758	0.02270052	3,591	0.01527500	2,416
- vacant land	IX	597,100	0.01171414	6,995	0.00619464	3,699	0.00479173	2,861	0.02270052	13,555	0.01527500	9,121
4b Industrial - Large	LT	508,514,140	0.02113282	10,746,338	0.01117540	5,682,849	0.00864449	4,395,846	0.04095271	20,825,033	0.02350000	11,950,082
- vacant bldg, excess land	LU	1,411,480	0.01373633	19,389	0.00726401	10,253	0.00561892	7,931	0.02661926	37,573	0.01527500	21,560
5 Pipelines	PT	189,639,000	0.00761794	1,444,659	0.00402850	763,960	0.00311616	590,945	0.01476260	2,799,565	0.01455976	2,761,098
6 Farm	FT	470,149,836	0.00121580	571,609	0.00064294	302,277	0.00049733	233,820	0.00235607	1,107,705	0.00083750	393,750
7 Managed Forests	TT	7,600,693	0.00135089	10,268	0.00071437	5,430	0.00055259	4,200	0.00261785	19,898	0.00083750	6,366
TOTAL		**29,398,111,534**		**202,911,530**		**107,303,112**		**83,002,028**		**393,216,670**		**179,669,964**

* Includes Social Housing

CA4 HBL A08
B91

Authority: Item 24, Hearings Sub-Committee
Report 03-034 (PD03230)
CM: October 29, 2003

Bill No. 316

CITY OF HAMILTON

BY-LAW NO. 03-316

To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended Respecting 220 Dundas Street

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 03-230 of the Hearing Sub-Committee at its meeting held on the 22nd day of October, 2003, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the Town of Flamborough in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-30" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended as follows:

   (a) by changing from Urban Commercial "UC-8" Zone to Site Specific Urban Residential "R4-2" Zone, for those lands shown as **Block 1**;

QA4 HBL A08
IPD

(b) By changing from Urban Commercial "UC-8" Zone to Site Specific Urban Residential "R4-3" Zone, for those lands shown as **Block 2**.

2. Section 9 – Urban Residential (Semi-Detached and Link) "R4" Zone is hereby amended by adding the following subsection:

9.3 EXCEPTION NUMBERS

9.3.2 R4-2 (See Schedule A-30)

That notwithstanding the provisions of the Urban Residential "R4" Zone of Zoning By-law No. 90-145-Z (Flamborough), the following shall be provided and maintained for the lands zoned Urban Residential (Semi-Detached and Link) "R4-2" Zone.

Zone Provisions

(a)	Minimum Lot Frontage	6.1 metres
(b)	Minimum Front Yard Setback	3.0 metres for the front face of the dwelling, except that the garage shall be setback a minimum of 6.0 metres.
(c)	Minimum Rear Yard Setback	11.5 metres
(d)	Maximum Lot Coverage	45%
(e)	Maximum Number of Semi Detached Dwellings	14

(f) No Accessory building or structure shall be permitted within 4 metres of the rear lot line, except that a chain link fence shall be permitted along the northerly rear lot line.

(g) All other provisions of Zoning By-law No. 90-145-Z, as applicable to the Urban Residential (Semi-Detached and Link) "R4" Zone shall continue to apply.

9.3.3 R4-3 (See Schedule A-30)

That notwithstanding the provisions of the Urban Residential "R4" Zone of Zoning By-law No. 90-145-Z (Flamborough), the following shall be provided and maintained for the lands zoned Urban Residential (Semi-Detached and Link) "R4-3" Zone.

Zone Provisions

(a)	Minimum Lot Frontage	6.1 metres
(b)	Minimum Front Yard Setback	6.0 metres
(d)	Maximum Lot Coverage	45%
(e)	Maximum Number of Semi Detached Dwellings	12

(g) All other provisions of Zoning By-law No. 90-145-Z, as applicable to the Urban Residential (Semi-Detached and Link) "R4" Zone shall continue to apply.

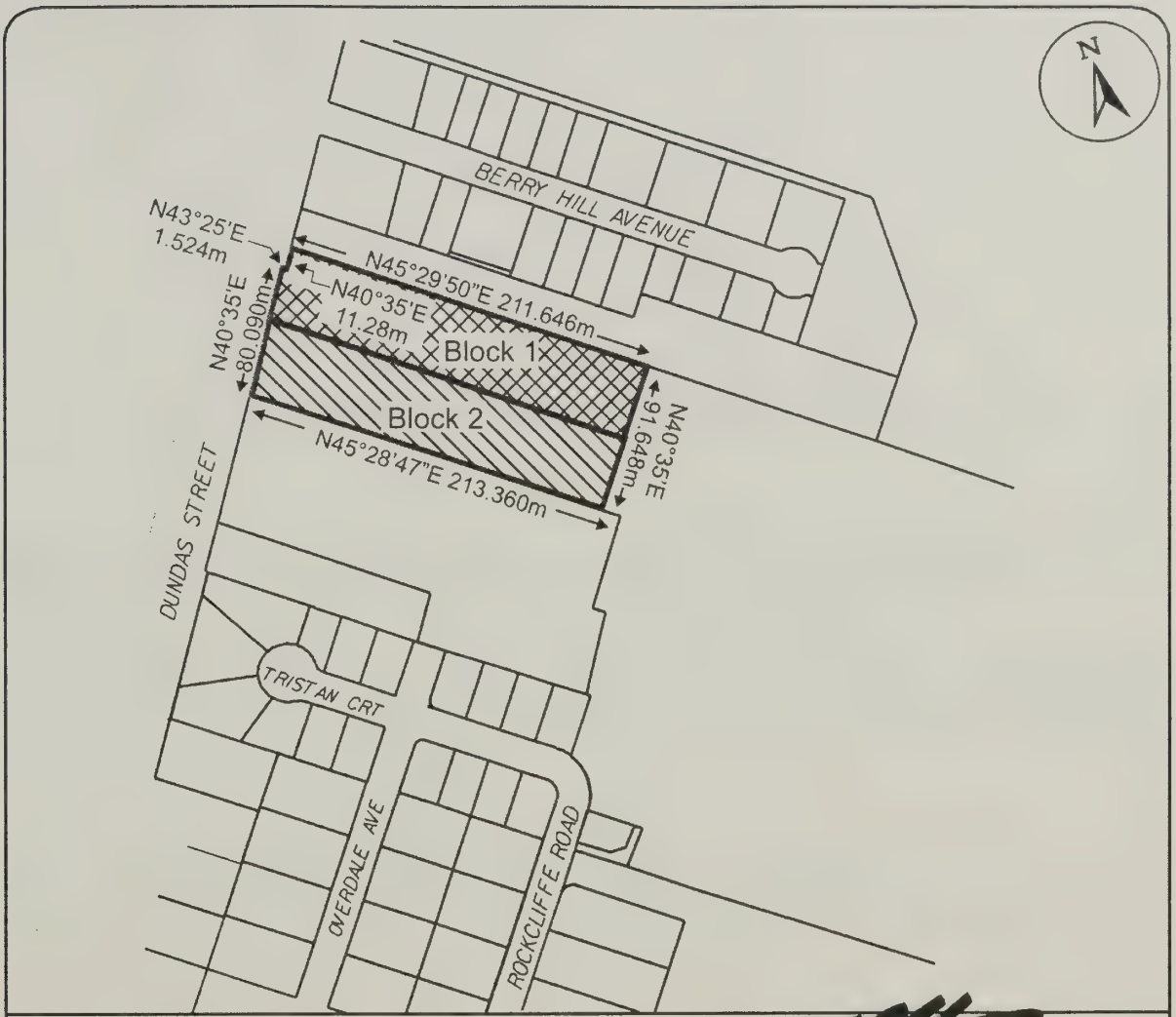
3. That the amending By-law be added to Schedule "A-30" of Zoning By-law No. 90-145-Z (Flamborough).

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003 .

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03-316

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-316
to Amend By-Law No.

Hamilton

Planning and Development Department

Legend

Subject Property
220 Dundas Street

Block 1 - Change in Zoning from Urban Commercial "UC-8" (H) Zone to Urban Residential "R4-2" Zone

Block 2 - Change in Zoning from Urban Commercial "UC-8" (H) Zone to Urban Residential "R4-3" Zone

North	Scale	Reference File No.
	NOT TO SCALE	*ZAC-03-41 & 25T200310*
	Date	Drawn By
	October 20, 2003	*L.M.M*

CA4 HBL A08
B91

Authority: Item 12, Hearings Sub-Committee
Report 03-034 (PD02209(a))
CM: October 29, 2003

Bill No. 317

CITY OF HAMILTON

BY-LAW NO. 03-317

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 615 and 647 Rymal Road East**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 03-034 of the Hearings Sub-Committee at its meeting held on the 29th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-27d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

CA4 HBL A08
B91

(a) by changing from "DE-3" (Multiple Dwellings) District to "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, the lands comprised in Block "1";

(b) by changing from "E-2" (Multiple Dwellings) District to "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District, the lands comprised in Block "2";

(c) by changing from "DE-3" (Multiple Dwellings) District to "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District, the lands comprised in Block "3";

(d) by changing from "E-2" (Multiple Dwellings) District to "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District, the lands comprised in Block "4";

the extent and boundaries of Blocks "1", "2", "3" and "4" are shown on a plan hereto annexed as Schedule "A";

2. The "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District provisions, applicable to Blocks "1" and "2", as contained in Section 10 of Zoning By-law No. 6593, are amended to the extent only of the special requirement that:

(a) Notwithstanding Subsection 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a minimum width of 15.0m and a minimum area of at least 450m^2 shall be provided and maintained;

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District provisions, subject to the special requirements referred to in section 2, and the "E" (Multiple Dwellings, Lodges, Clubs, Etc.) District provisions.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1493.

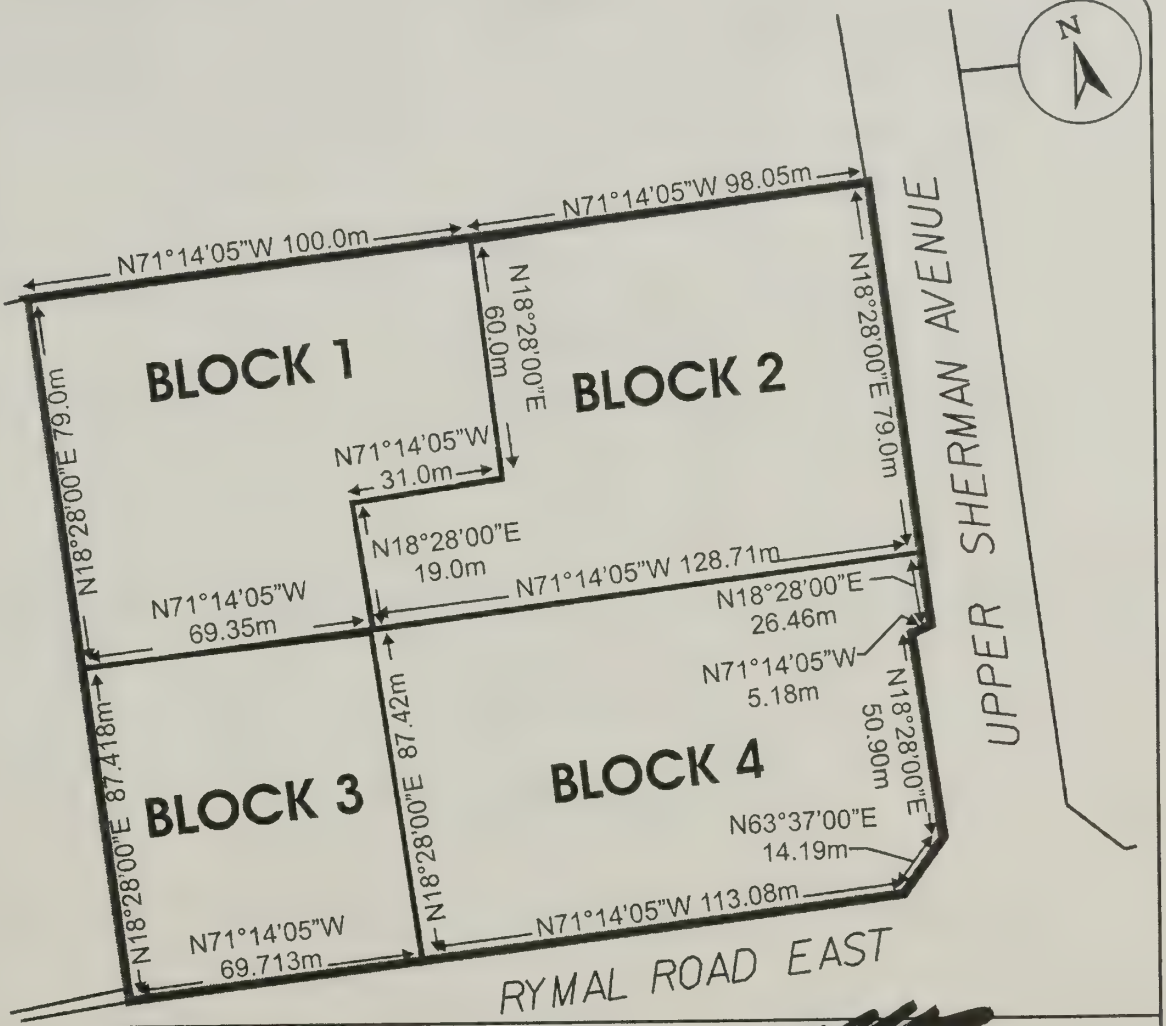
5. Sheet No. E-27d of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1493.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 317

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-317
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
615 and 647 Rymal Road East

Block 1- Change in zoning from "DE-3" District to "D" District, Modified

Block 2- Change in zoning from "E-2" District to "D" District, Modified

Block 3- Change in zoning from "DE-3" District to "E" District

Block 4- Change in zoning from "E-2" District to "E" District

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-02-58/25T-200209
	Date	Drawn By
	October 10, 2003	L.M.M

CA4 HBL A08
B91

Authority: Item 6, Hearings Sub-Committee
Report: 03-034 (PD03266)
CM: October 29, 2003

Bill No. 318

CITY OF HAMILTON

BY-LAW NO. 03-318

To Adopt:

Official Plan Amendment No.105 to the Former City of Stoney Creek Official Plan;

Respecting:

Lands municipally known as
411 Highway No. 8

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 105 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29 day of October 2003

MAYOR

CLERK

CAH HBL 468
841

Schedule "1"

Amendment No. 105

to the

former City of Stoney Creek Official Plan

The following text together with Schedule "A", General Land Use Plan, and Schedule "B", Secondary Plan - Western Development Area, attached hereto, constitutes Official Plan Amendment No. 105.

Purpose:

The purpose of this Amendment is to redesignate the subject lands Low Density Residential to Local Commercial in order to permit the development of a personal service shop. The effect of this amendment will be to redesignate the subject land to Local Commercial to allow for all uses permitted by this designation.

Location:

The lands affected by this Amendment are 622 square metres (0.15 acres) of land, known municipally as 411 Highway No. 8, located at the north-east corner Highway No. 8 and Millen Road, in within the Guernsey Neighbourhood of the former City of Stoney Creek.

Basis:

The basis for the redesignation of the subject lands is as follows:

- the proposed use is compatible with the existing surrounding development;
- the subject lands are located on an arterial road and the established street system, existing utilities and municipal services are adequate;
- the site can adequately accommodate the proposed use; and
- the proposal local commercial use conforms with the Residential policies of the Official Plan.

Actual Changes:

Schedule “A”, General Land Use Plan to the Stoney Creek Official Plan be amended by identifying the subject land as subject to OPA 105 as shown on Schedule "A" of this Amendment.

Schedule “A1”, Secondary Plan - Western Development Area of the Stoney Creek Official Plan be revised by redesignating the subject lands from "Low Density Residential" to "Local Commercial" as shown on the attached Schedule “B” of this Amendment.

Implementation:

A Zoning By-law Amendment and Site Plan Control will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No. 03-03-318, passed on the 29 day of October, 2003.

City of Hamilton

Mayor

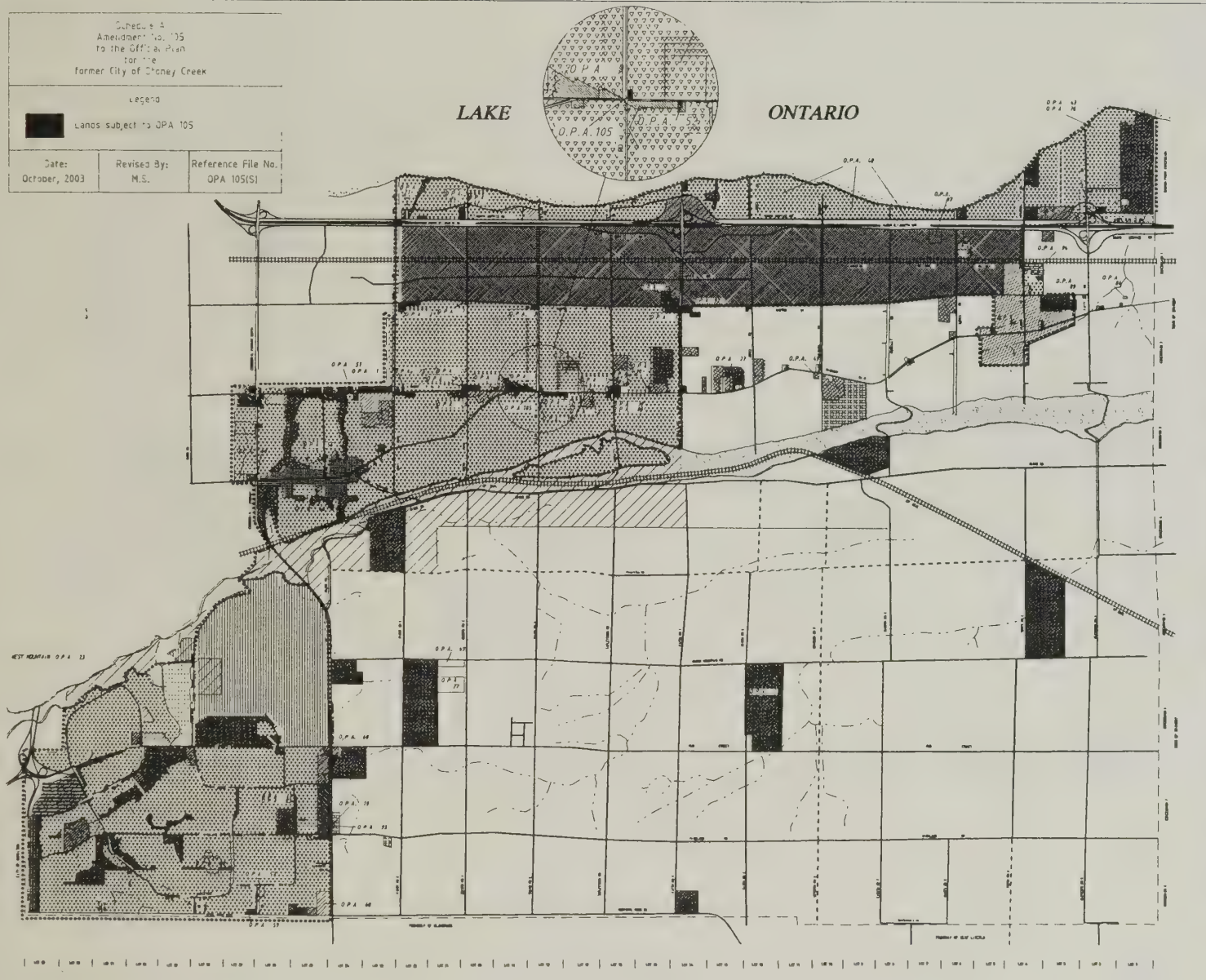
City Clerk

Schedule 'A'
Amendment No. 105
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands subject to OPA 105

Date:	Revised By:	Reference File No.
October, 2003	M.S.	OPA 105(S)



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

Legend

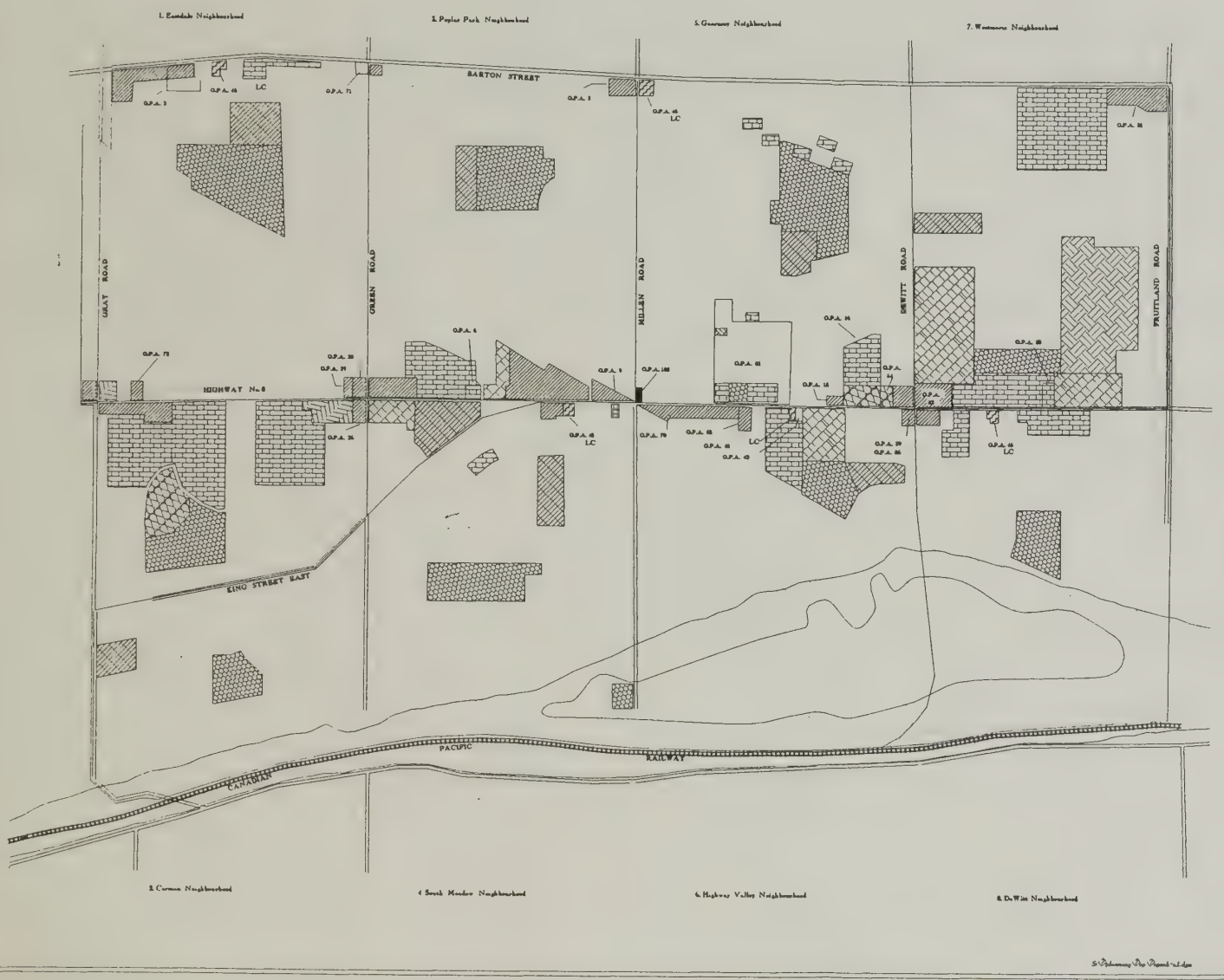
Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Medium Density Residential
- Special Policy Area 'A'
- Special Policy Area 'B'
- Special Policy Area 'C' (West Mountain Core Area)
- Municipal Boundary
- Business Improvement Area (B.I.A.)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A. Official Plan Amendment
- Sub-Regional Centre

N

CITY OF STONEY CREEK
PLANNING DEPARTMENT

October 2002



CITY OF STONEY CREEK
OFFICIAL PLAN

Schedule "A1" Secondary Plan

Western Development Area

Legend

Land Use Designations

- Community Shopping Centre
- General Commercial
- LC — Local Commercial
- Highway Commercial
- Open Space - Community Park
- Neighbourhood Park
- Low Density Residential
- Medium Density Residential
- Medium - High Density Residential
- Elementary School
- Institutional
- Escarpment Natural Area

District Boundary

Arterial Road

Collector Road

O.P.A. — Official Plan Amendment

Schedule B
Amendment No. 105
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands to be redesignated from "Low Density Residential" to "Local Commercial"

Date:	Revised By:	Reference File No.
October, 2003	M. S.	O.P.A. 105(S)

CITY OF STONEY CREEK
PLANNING DEPARTMENT

Updated DECEMBER 11th, 2006

CA4 HBL A08
B91

Authority: Item 6, Hearing Sub-Committee
Report 03-034 (PD03266)
CM: October 29, 2003

Bill No. 319

CITY OF HAMILTON

BY-LAW NO. 03-319

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 411 Highway No. 8

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 8.2.4 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 6 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Single Residential "R2" Zone to the site-specific Local Commercial "LC-9" Zone, the lands comprised of 411 Highway No. 8, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

CA4 HER A08
B21

2. That Subsection 8.2.4, "Special Exemptions" of Section 8.2, Local Commercial "LC" Zone, of Zoning By-law No. 3693-92, be amended by adding a new special exemption, "LC-9", as follows:

"LC-9 411 Highway No. 8 Schedule "A", Map No. 6

Notwithstanding the provisions of paragraphs (a), (b), (g) and (j) of Section 8.2.3 "Zone Regulations" of Zoning By-law 3692-92, on those lands zoned "LC-9" by this By-law, the following shall apply:

(a) Minimum Lot Area - 620 square metres
(b) Minimum Lot Frontage - 15 metres
(g) Minimum Side Yard - 1.5 metres, except 2.7 metres for a flankage yard
(e) Minimum Landscaped Open Space - A landscaped strip having a minimum width of 4.5 metres shall be provided adjacent to every portion of any lot line that abuts a residential zone and having a minimum width of 2 metres shall be provided adjacent to every portion of any lot line that abuts a street except points of ingress and egress or any zone other than a commercial or industrial zone.

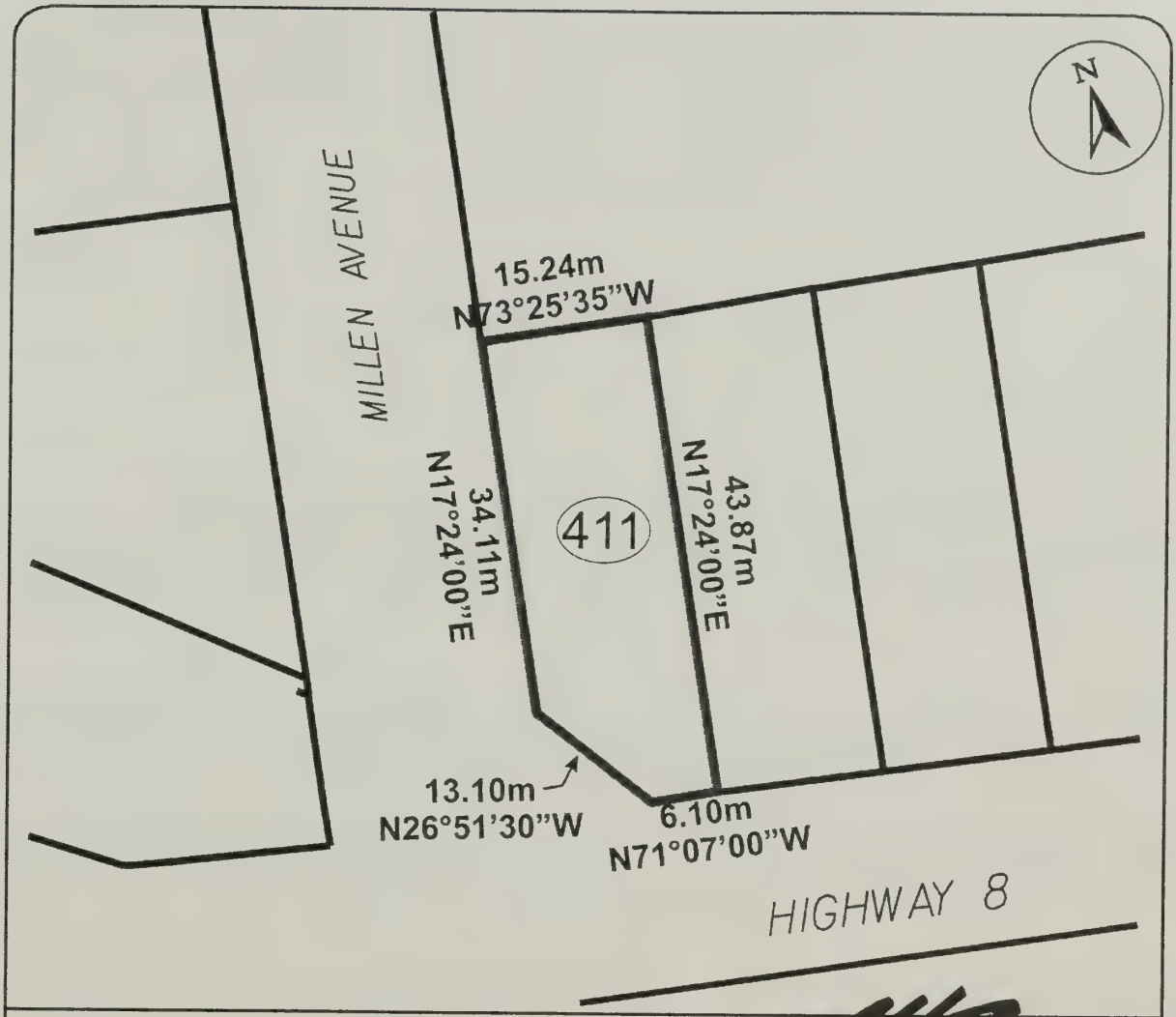
Notwithstanding Section 4.13.1 "Special Setbacks – Daylight Triangles" and paragraphs (b) and (d) of Section 4.19.1 – "Yard Encroachments – General Application" the following provision shall apply:

"Any lot located at the intersection of two or more roads will require a minimum yard to the hypotenuse of the daylight triangle of 2 metres for a building and/or structure."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR CLERK



This is Schedule "A" to By-Law No. 03- 319

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 319
to Amend By-Law No.

Hamilton

Planning and Development Department

Legend

Subject Property
411 Highway No. 8

Change From the "R2" Zone to the "LC-9" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-03-66
	Date	Drawn By
	September 23, 2003	L.M.M

CA4 HBL A08
B91

Authority: City of Stoney Creek
Planning & Development Committee
Report 2000-110
Agenda Date: October 12, 2000

Bill No. 320

CITY OF HAMILTON

BY-LAW NO. 03-320

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located on Seabreeze Crescent , Part of Lots 11 and 14 and all of Lots 12 and 13, Plan 635, and Part of Lot 9, Broken Front Concession, Former City of Stoney Creek

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under Subsections 6.3 and 6.9 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Neighbourhood Development "ND" Zone to Single Residential "R3", Single Residential-Holding "R3-19(H)", Multiple Residential-Holding "RM2-8(H)", and Multiple Residential-

CAT HBL A08
1P8

Holding "RM2-9(H)" Zones, on the lands comprised of Part of Lot 9, Broken Front Concession (Stoney Creek), shown as Blocks 1 to 4 in a plan hereto annexed as Schedule "A", as follows:

(i) That Block 1 be rezoned from the Neighbourhood Development "ND" Zone to the Single Residential "R3" Zone;

(ii) That Block 2 be rezoned from the Neighbourhood Development "ND" Zone to the modified Multiple Residential-Holding "RM2-9(H)" Zone;

(iii) That Block 3 be rezoned from the Neighbourhood Development "ND" Zone to the Single Residential-Holding "R3-19(H)" Zone; and,

(iv) That Block 4 be rezoned from the Neighbourhood Development "ND" Zone to the Multiple Residential-Holding "RM2-8(H)" Zone.

2. That Subsection 6.9.6, "Special Exemptions" of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3693-92, be amended by applying the Holding provisions of Section 36(1) of The Planning Act, R.S.O. 1990 to Block 2 by introducing the holding symbol (H) as a suffix to a new special exemption, "RM2-9", as follows:

"RM2-9(H) North of the North Service Road (West of Watercourse No. 7), Schedule "A", Map No. 3

In addition to the uses permitted in Subsection 6.9.2 of Section 6.9, Multiple Residential "RM2" Zone, those lands zoned "RM2-9(H)" may also be used for a storm water management pond.

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-9(H)" by this by-law, the Holding "H" Zone may be removed by City Council and thereby give effect to the "RM2" Zone provisions by enactment of an amending By-law at such time as the Director of Development and Real Estate has agreed that the stormwater management pond is no longer required."

3. That Subsection 6.4.7, "Special Exemptions" of Section 6.4, Single Residential "R3" Zone, of Zoning By-law No. 3693-92, be amended by applying the Holding Provision of Section 36(1) of The Planning Act, R.S.O. 1990 to Block 3 by introducing the holding symbol (H) as a suffix to a new special exemption, "R3-19", as follows:

"R3-19(H) Northwest Corner of McNeilly Road and North Service Road, Schedule "A", Map No. 3

Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "R3-19(H) by this by-law, the Holding "H" Zone may be removed by City Council and thereby give effect to the "R3" Zone provisions by enactment of an amending By-law upon the approval, of a noise study by the Director of

Development and Real Estate and the Ministry of Transportation of Ontario, which study also addresses the design of a berm."

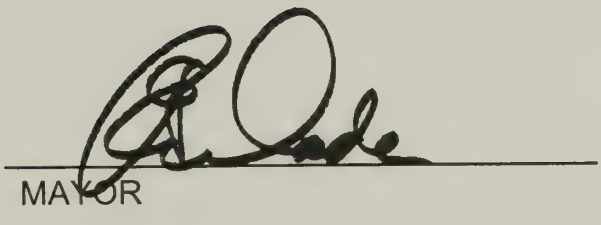
4. That Subsection 6.9.6, "Special Exemptions" of Section 6.9, Multiple Residential "RM2" Zone, of Zoning By-law No. 3693-92, be amended by applying the Holding Provision of Section 36(1) of The Planning Act, R.S.O. 1990 to Block 4 by introducing the holding symbol (H) as a suffix to a new special exemption, "RM2-8", as follows:

"RM2-8(H) North of the North Service Road, Schedule "A", Map No. 3

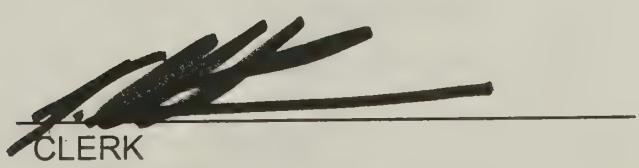
Notwithstanding the provisions of Section 3.8 "Holding Zones", on those lands zoned "RM2-8(H)" by this by-law, the Holding "H" Zone may be removed by City Council and thereby give effect to the "RM2" Zone provisions by enactment of an amending By-law upon the approval of a noise study which also addresses the design of a berm by the Director of Development and Real Estate and the Ministry of Transportation of Ontario."

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with The Planning Act.

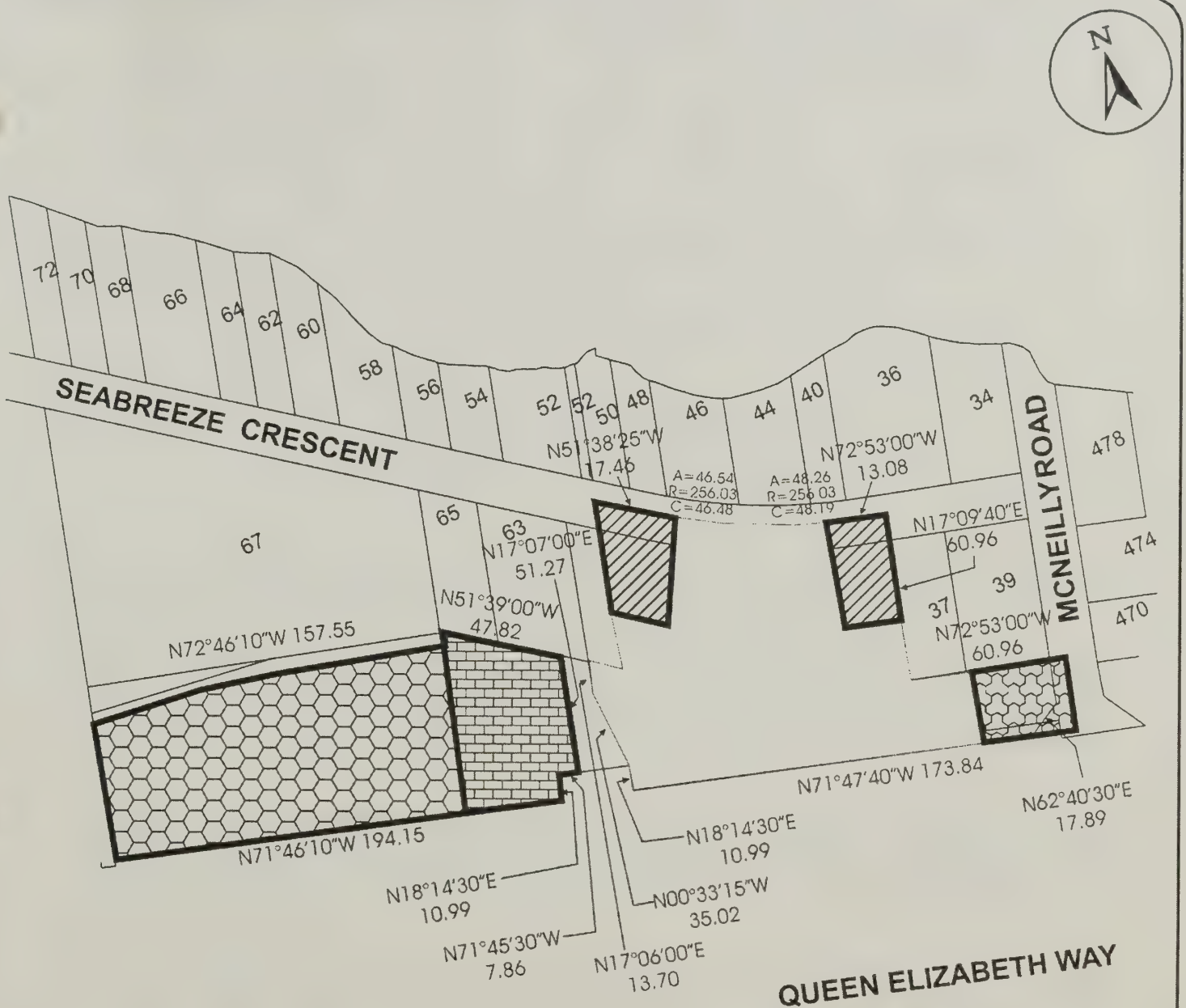
PASSED and ENACTED this 29th day of October, 2003.



MAYOR



CLERK



This is Schedule "A" to By-Law No. 03—320

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-320
to Amend By–Law No. 3692-92

Hamilton

Planning and Development Department

Legend

- **Block 1** - Change from the "ND" Zone to the "R3" Zone
- **Block 2** - Change from the "ND" Zone to the "RM2-9(H)" Zone
- **Block 3** - Change from the "ND" Zone to the "R3-19(H)" Zone
- **Block 4** - Change from the "ND" Zone to the "RM2-8(H)" Zone

North	Scale	Reference File No.
	NOT TO SCALE	25T-200015
	Date	Drawn By
	October 22, 2003	LC

CA4 HBL A08
B91

Authority: Item 9, Hearings Sub-Committee
Report 03-034 (PD03243)
CM: October 29, 2003

Bill No. 321

CITY OF HAMILTON

BY-LAW NO. 03-321

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 61 Robinson Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 03- of the Hearing Sub Committee at its meeting held on the day of , 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-5 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

   (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District;

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B91

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-30" (Street-Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(a) That Sections 2. (a), 2. (b) and 2. (c) of Zoning By-law No. 81-346 be deleted in their entirety;

(b) That Zoning By-law No. 01-176 be repealed in its entirety;

(c) that Section 2A (viid) (b) of Zoning By-law No. 6593, shall not apply;

(d) that in addition to the requirements of Section 10F of Zoning By-law No. 6593, a minimum gross floor area of 233m^2 (2,500ft^2) shall be provided and maintained for each single family dwelling unit;

(e) that in addition to the requirements of Section 10F of Zoning By-law No. 6593, a privacy area having a depth of not less than 4.0m and a width of not less than 4.0m, shall be provided and maintained for each single family dwelling unit;

(f) that notwithstanding Section 10F (3) of Zoning By-law No. 6593, no building shall exceed 3 storeys and no structure shall exceed 13.75m in height;

(g) that notwithstanding Section 10F (4) (a) of Zoning By-law No. 6593, a front yard depth of not less than 0.8m shall be provided and maintained;

(h) that notwithstanding Section 10F (4) (c) (iii) of Zoning By-law No. 6593, a side yard width of not less than 2.0m shall be provided and maintained;

(i) that notwithstanding Section 10F (9) of Zoning By-law No. 6593, not more than six single family dwelling units shall be attached in a continuous row;

(j) that notwithstanding Section 18 (3) (vi) (c) and (d) of Zoning By-law No. 6593, a bay or a roofed over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard and side yard to a distance of 0.0m from the front or side lot line;

(k) that in addition to the requirements of Section 18A of Zoning By-law No. 6593, a visual barrier of not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the easterly property boundary line;

(l) that in addition to the requirements of Section 18A of Zoning By-law No. 6593, the parking spaces shall be located in the rear yard only; and,

(m) that in addition to the requirements of Section 18A of Zoning By-law No. 6593, vehicular access to each single family dwelling unit from Park Street South shall be prohibited.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-776c.

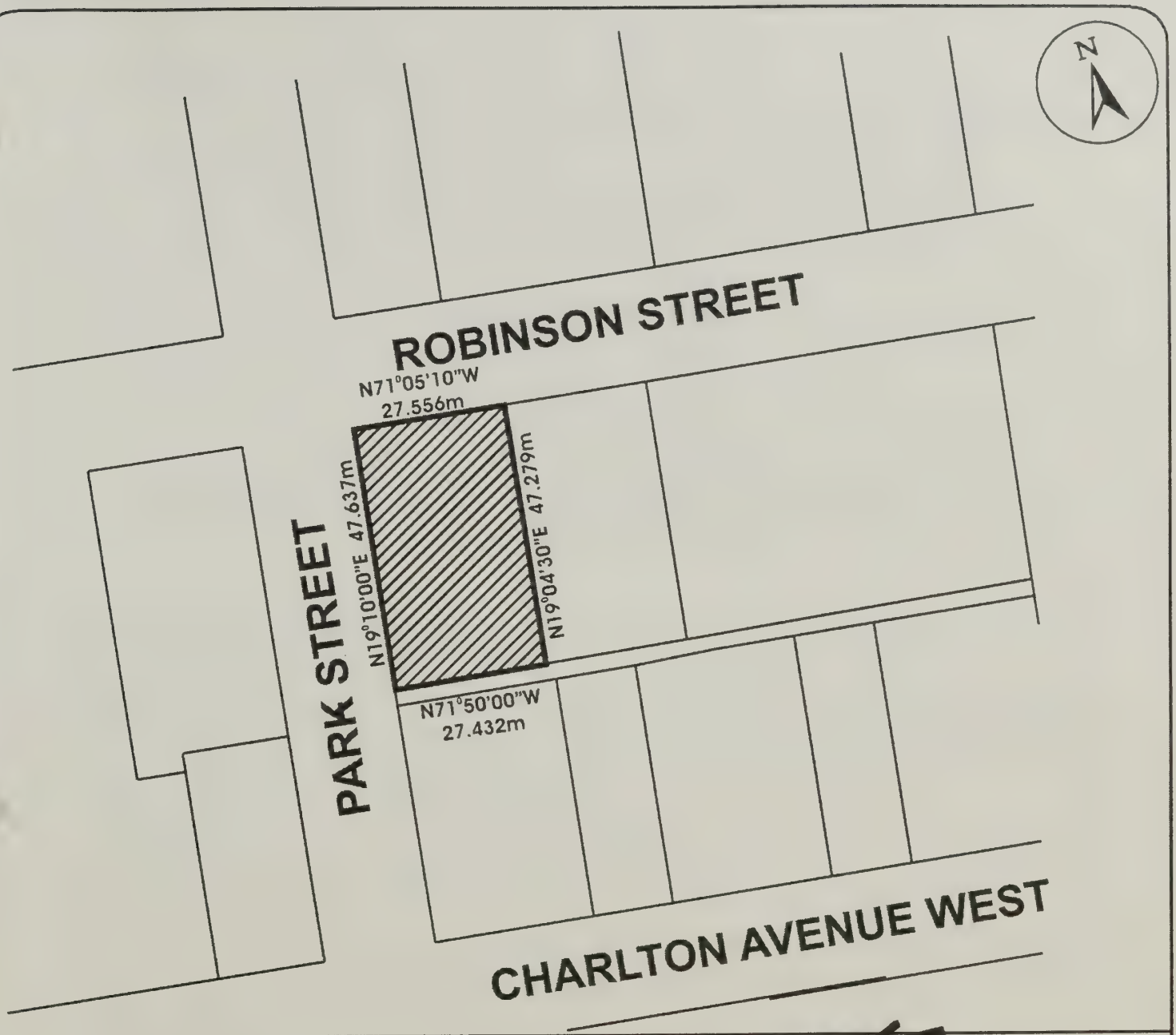
5. Sheet No. W-5 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-776c.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 321

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 321
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
61 Robinson Street

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-559
	Date	Drawn By
	October 02,2003.	NB

CA4 HBL A08

B91

Authority: Item 5, Hearings Sub-Committee
Report 03-034 (PD03258)
CM: October 29, 2003

Bill No. 322

CITY OF HAMILTON

BY-LAW NO. 03-322

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands located at Gatestone Drive and Edgecroft Crescent,
known as "Shadyglen Stage 3"**

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 16 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Neighbourhood Development "ND" Zone to the Single Residential-Three "R3" Zone, for lands located at Gatestone Drive and Edgecroft Crescent, known as "Shadyglen Stage 3", the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

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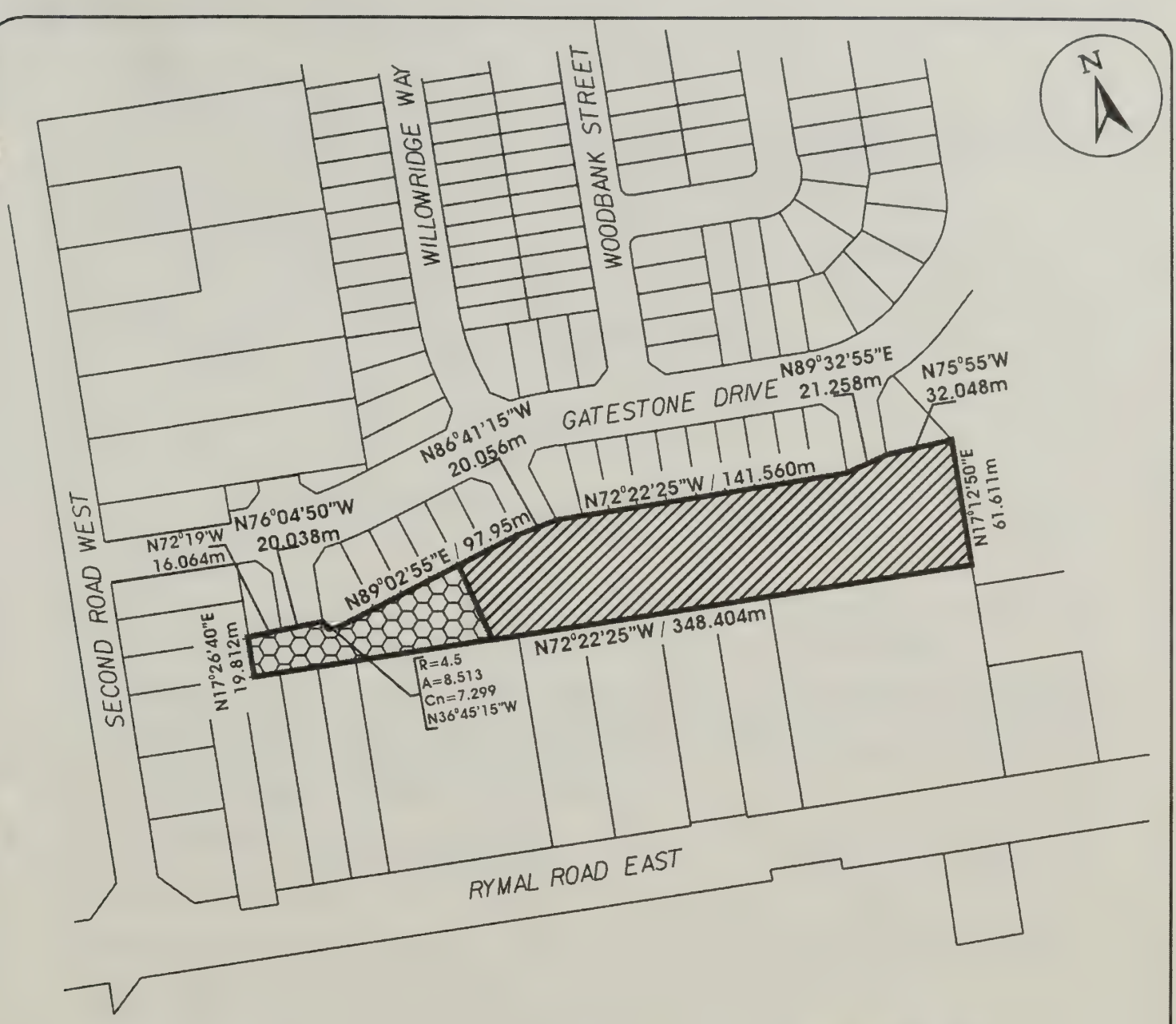
B91

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—322

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-322
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
Shadyglen Stage 3
(Stoney Creek)

Lots 1-16 & Blocks 18-20 - Change in Zoning from "ND" Zone to "R3" Zone

Block 17 - To Remain "ND" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-50
	Date	Drawn By
	October 24, 2003	NB

CA4 HBL A08
B91

Authority: Item 7, Hearings Sub-Committee
Report 03-034 (PD03259)
CM: October 29, 2003

Bill No. 323

CITY OF HAMILTON

BY-LAW NO. 03-323

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 484 Millen Road

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by modifying the existing Multiple Residential "RM4-4" Zone, for lands located at 484 Millen Road, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

CA4 HBL A08
B91

2. That Section 6.11.6, "Special Exemptions", of Zoning By-law No. 3692-92 (Stoney Creek), be amended by modifying special provision "RM4-4", to include the following:

Notwithstanding the permitted uses in Subsection 6.11.2 of the Multiple Residential "RM4" Zone and notwithstanding the definition of Dwelling – Apartment, Part 2 – Definitions, on those lands zoned "RM4-4" by this by-law, the following uses shall also be permitted:

(1) Six 2 storey residential buildings, each containing 4 stacked apartment units.

Notwithstanding the provisions of paragraphs (c), (j) (2), (k) and (l) of Section 6.11.3 of the Multiple Residential "RM4" Zone, on those lands zoned "RM4-4" by this by-law, the following provisions shall only apply to the six 2-storey residential buildings:

(1) Minimum Front Yard: 3 metres.
(2) Minimum Landscaped Open Space: A landscaped strip having a minimum width of 3 metres shall be provided and thereafter maintained adjacent to every portion of any lot line that abuts a street except for points of ingress and egress.
(3) Minimum Distance between residential buildings on the same lot: 5.5 metres.
(4) Minimum amenity Area: no inside amenity area shall be required.

Under Subsection 6.11.6, Special Exemptions, the Multiple Residential "RM4-4" Zone be modified as follows:

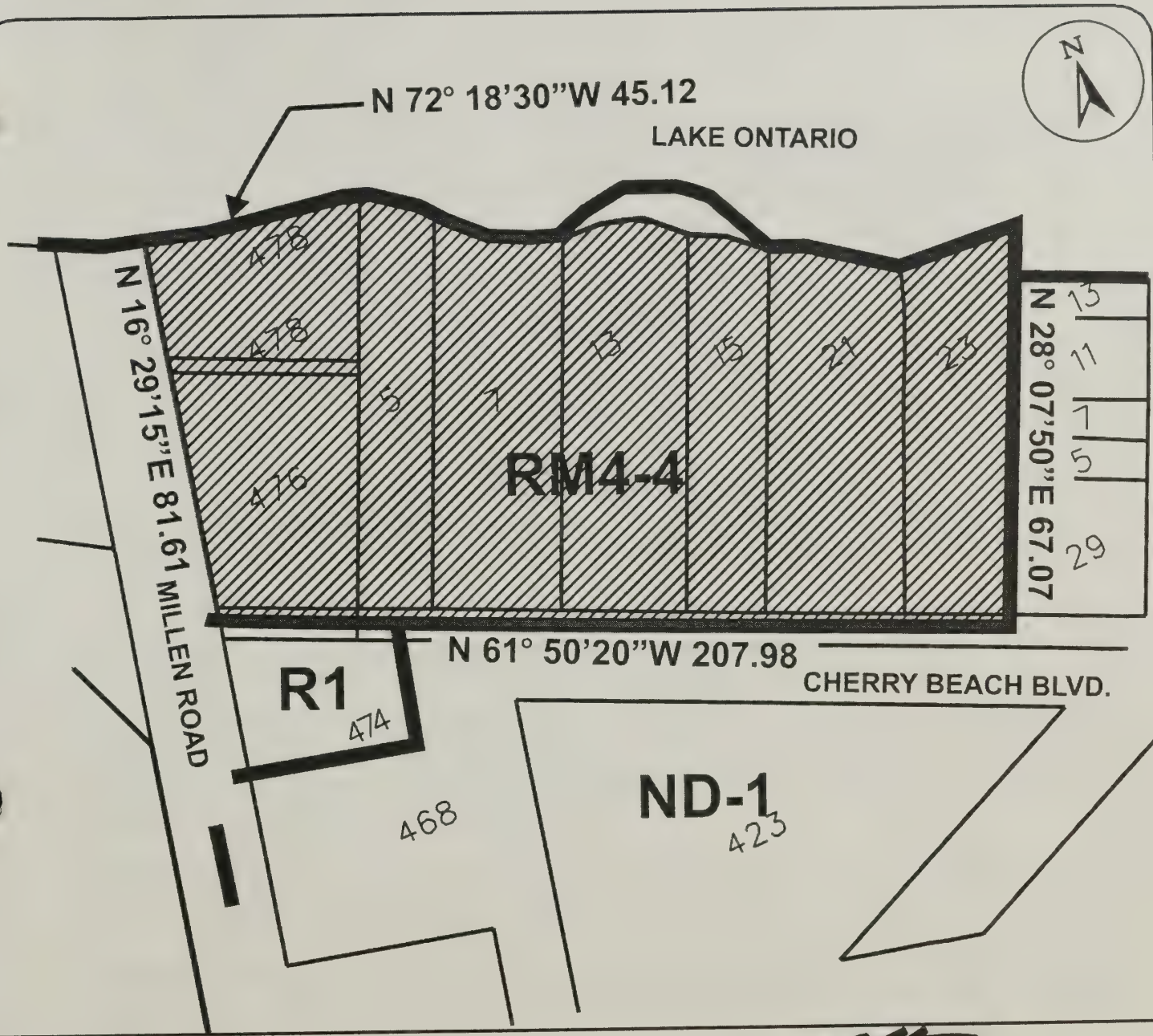
Notwithstanding paragraph (a) of Subsection 4.13.2 of Part 4, General Provisions, a minimum yard of 26.25 metres from the top of bank of the Lake Ontario shoreline shall be provided.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 323

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 323
to Amend By–Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
To further modify the existing Multiple Residential "RM4-4"Zone.

North	Scale	Reference File No.
	NOT TO SCALE	*ZAR-03-73*
	Date	Drawn By
	September 30, 2003	*LC*

CA4 HBL A08
B91

Authority: Item 4, Hearings Sub-Committee
Report 03-034 (PD03254)
CM: October 29, 2003

Bill No. 324

CITY OF HAMILTON

BY-LAW NO. 03-324

To Amend Zoning By-law No. 464 (Glanbrook) Respecting Lands located in Part of Lot 5, Concession 5, in the South Mount Hope Estates Draft Plan of Subdivision 25T-200301

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 464 (Glanbrook), passed on the 16th day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1993.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "F", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the Deferred Development "DD" Zone to the Residential "R4" Zone, the land comprised of the subject property, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

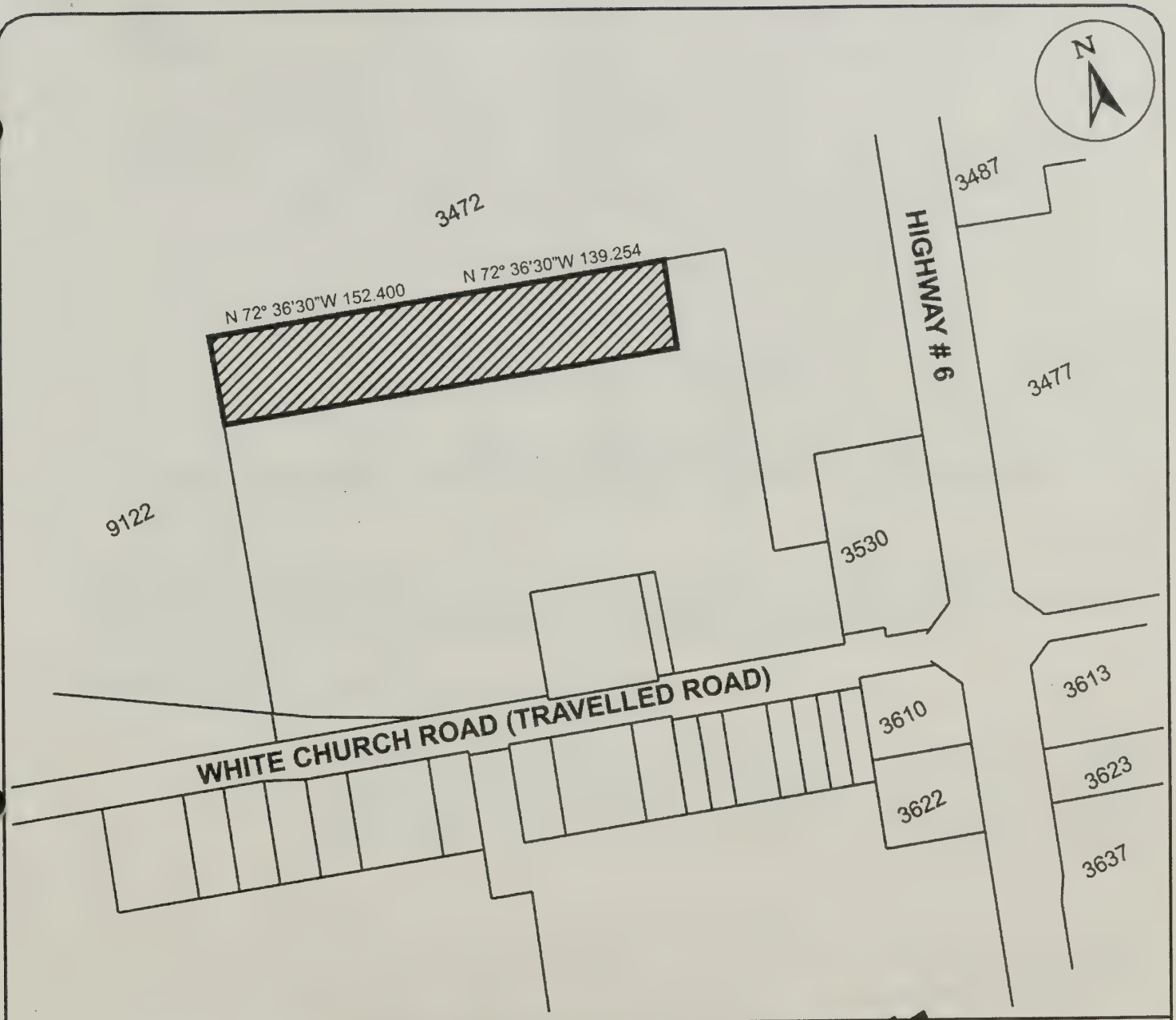
CA4 HBL A08
B91

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—324

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 324
to Amend By-Law No. 464

Hamilton

Planning and Development Department

Legend

Subject Property
South Mount Hope Estates

North	Scale	Reference File No.
	NOT TO SCALE	ZAC- 0
	Date	Drawn By
	September 26, 2003	LC

CA4 HBL A08
B91

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 325

City of Hamilton

BY-LAW No. 03-325

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN A PORTION OF
"SOUTHBROOK ON THE GREEN - Phase 2" – Lots 53 to 63, PLAN 62M-961

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. --** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period. --** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

CAT HOL VOS
IPB

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of forty (40) street townhouse units, shall not apply to the following designated land:

   Lots 53 to 63, Registered Plan Number 62M-961, in the City of Hamilton (Glanbrook).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

3. This By-law shall cease, expire and be of no further effect on October 31st, 2005.

PASSED and ENACTED this 29th day of October, A.D. 2003.

MAYOR

CLERK

CA4 HBL A08
B91

Authority: Item 10, Hearings Sub-Committee
Report 03-034 (PD03246)
CM: October 29, 2003

Bill No. 326

CITY OF HAMILTON

BY-LAW NO. 03-326

**To Amend Zoning By-law No. 6593
Respecting the Lands Located at the South Side of Redfern Avenue, Between Sanatorium Road and Chedmac Drive**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report 03-034 of the Hearings Sub-Committee at its meeting held on the 29th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

80A JBH 4AD
1P9

1. That Zoning By-law No. 00-198 be repealed in its entirety.

2. The "AA" (Agricultural) District provisions, as contained in Section 7A of Zoning By-law No. 6593 as amended by By-law No. 96-152, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:

   (a) Notwithstanding Subsection 4.(a) of Zoning By-law No. 96-152, the following use shall also be permitted:

      1) a long term care facility with a maximum capacity of 210 beds and accessory uses thereto.

   (b) Notwithstanding Subsection 4.(b) of Zoning By-law No. 96-152, a maximum height of 3 storeys and 11.0 metres shall be permitted;

   (c) Subsections 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to the parking area existing at the time of the passing of the By-law;

   (d) Vehicular access to the subject property shall be restricted to one access from Redfern Avenue;

   (e) For the purposes of this By-law, the subject lands are deemed to be one lot for the purposes of applying zoning provisions, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A". Zoning regulations, including height, use, setbacks, etc. shall apply only to the external limits of the lands subject to the By-law, not to interior boundaries resulting from any subdivision of land.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" (Agricultural) District provisions and Zoning By-law No. 96-152, subject to the special requirements referred to in section 1.

3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1363d.

4. Sheet No. W-43 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1363d.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK

This is Schedule "A" to By-Law No. 03— 326

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 326
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
Property south of Redfern Ave between Sanatorium Road and Chedmac Drive

Further Modification to the "AA" (Agricultural) District regulations.

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-03-60
	Date	Drawn By
	October 24, 2003	NB

CA4 HBL A08
B91

Authority: Item 6, Hearings Sub-Committee
Report 03-030 (PD03216)
CM: September 24, 2003

Bill No. 327

CITY OF HAMILTON

BY-LAW NO. 03-327

To Amend Zoning By-law No. 87-57 (Ancaster), as amended Respecting 737, 771, 803-839 Golf Links Road and 27 Legend Court

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster) in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by modifying Section "C2-402" as incorporated into Zoning By-law No. 87-57, and including the following requirements:

C2-402 (i) Notwithstanding any provisions of Sub-section 22.1 – Permitted Uses of Section 22: Shopping Centre Commercial "C2" Zone of Zoning By-law No. 87-57 (Ancaster), the following additional uses shall be permitted:

a) Animal Hospitals
b) Garden Centres excluding greenhouses

CA4 NEC A08
B41

c) Recreational areas or uses and miniature golf courses within a wholly enclosed building
d) Gymnasiums or Health Clubs excluding body rub parlours
e) An amusement centre shall be permitted as an accessory use to the theatres or in conjunction with a restaurant use

(ii) All other provisions of the Site-Specific Shopping Centre Commercial "C2-402" Zone shall continue to apply.

2. Section 34: Exceptions of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby further amended by modifying Section "C2-420" as incorporated into Zoning By-law No. 87-57, and including the following requirements:

C2-420 (i) Notwithstanding any provisions of Sub-section 22.1 – Permitted Uses of Section 22: Shopping Centre Commercial "C2" Zone of Zoning By-law No. 87-57 (Ancaster), the following additional uses shall be permitted:

a) Animal Hospitals
b) Garden Centres excluding greenhouses
c) Recreational areas or uses and miniature golf courses within a wholly enclosed building
d) Gymnasiums or Health Clubs excluding body rub parlours

(ii) That notwithstanding any provisions to the contrary of Section 22 and all other sections of Zoning By-law No. 87-57 (Ancaster), the following provisions shall be provided and maintained:

a)	Maximum floor area for entertainment/ restaurant uses:	1,400 square metres
b)	Minimum size for each retail store, including drugstores:	100 square metres up to a maximum of 4 stores where the balance of the retail stores shall not be less than 325 square metres in size.

c)	Prohibited Uses:	Food Store including supermarket and specialty food store, Department Store, Fast Food Restaurant, Auctioneer Establishment, and Recreational vehicle sales, service and rental.

(ii) All other provisions of the Site-Specific Shopping Centre Commercial "C2-420" Zone shall continue to apply.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October , 2003.

MAYOR

CLERK

CA4 HBL A08
B91

Authority: Item 17, Hearings Sub-Committee
Report: 03-034 (PD03244)
CM: October 29, 2003

Bill No. 328

CITY OF HAMILTON

BY-LAW NO. 03-328

To Adopt:

Official Plan Amendment No. 97 to the former Town of Ancaster Official Plan;

Respecting:

231 Wilson Street East

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 97 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29 day of October, 2003

MAYOR

CLERK

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Schedule "1"

Amendment No. 97

to the

Official Plan of the Former Town of Ancaster

The following text, and Schedule "A", Land Use – Urban Area, attached hereto, constitute Official Plan Amendment No. 97.

Purpose:

The purpose of the Amendment is to re-designate part of the subject lands from "Residential" to "Commercial" to permit the development of commercial proposal in conjunction with adjacent properties to the east.

Location:

The lands affected by this Amendment are known municipally as 231 Wilson Street East, located on the north side of Wilson Street East, west of Sulphur Spring Road and east of Dalley Drive.

Basis:

The intent of this amendment is to permit the development of co-ordinated commercial proposal in conjunction with the adjacent properties to the east. The proposal includes commercial, office and second storey residential uses. The basis for permitting this proposal is as follows:

- The subject land is identified on Schedule F as subject to Specific Policy Area 1, Heritage Village Core. The Village Core is intended to be a focal point for commercial development and activity.
- The subject land is located on an arterial road.
- The subject land is intended to be part of a comprehensive and co-ordinated commercial development.
- The design of the proposed commercial development will be in keeping with the character of the surrounding area.

Actual Changes:

That Schedule "B", Land Use – Urban Area, be revised by re-designating the subject lands, located at 231 Wilson Street East, from "Residential" to "Commercial", as shown on the attached Schedule "A" of this Amendment.

Implementation:

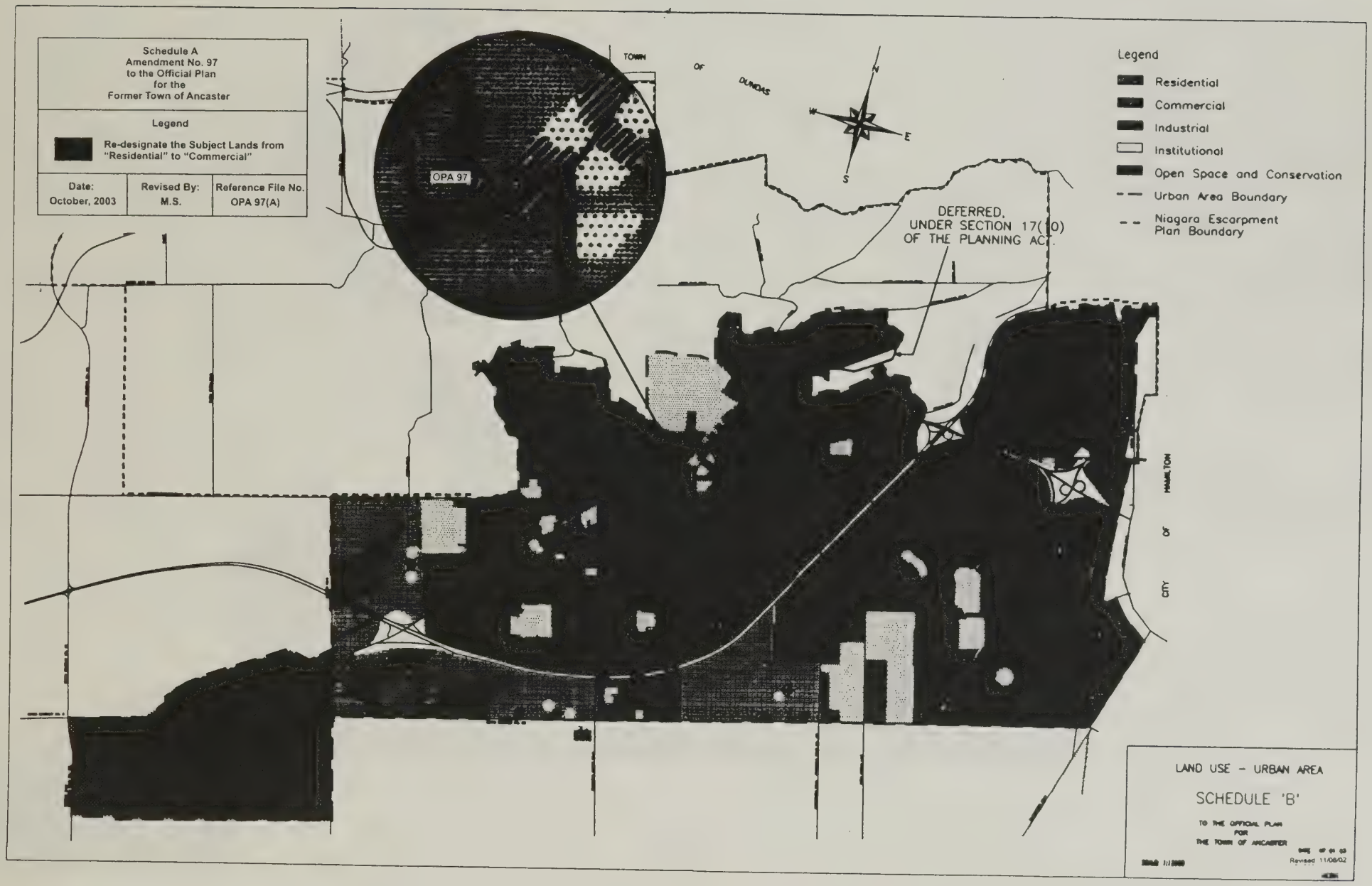
An implementing Zoning By-Law Amendment, Site Plan, and the provisions of Section 7: Implementation of the former Town of Ancaster Official Plan will give effect to this Amendment.

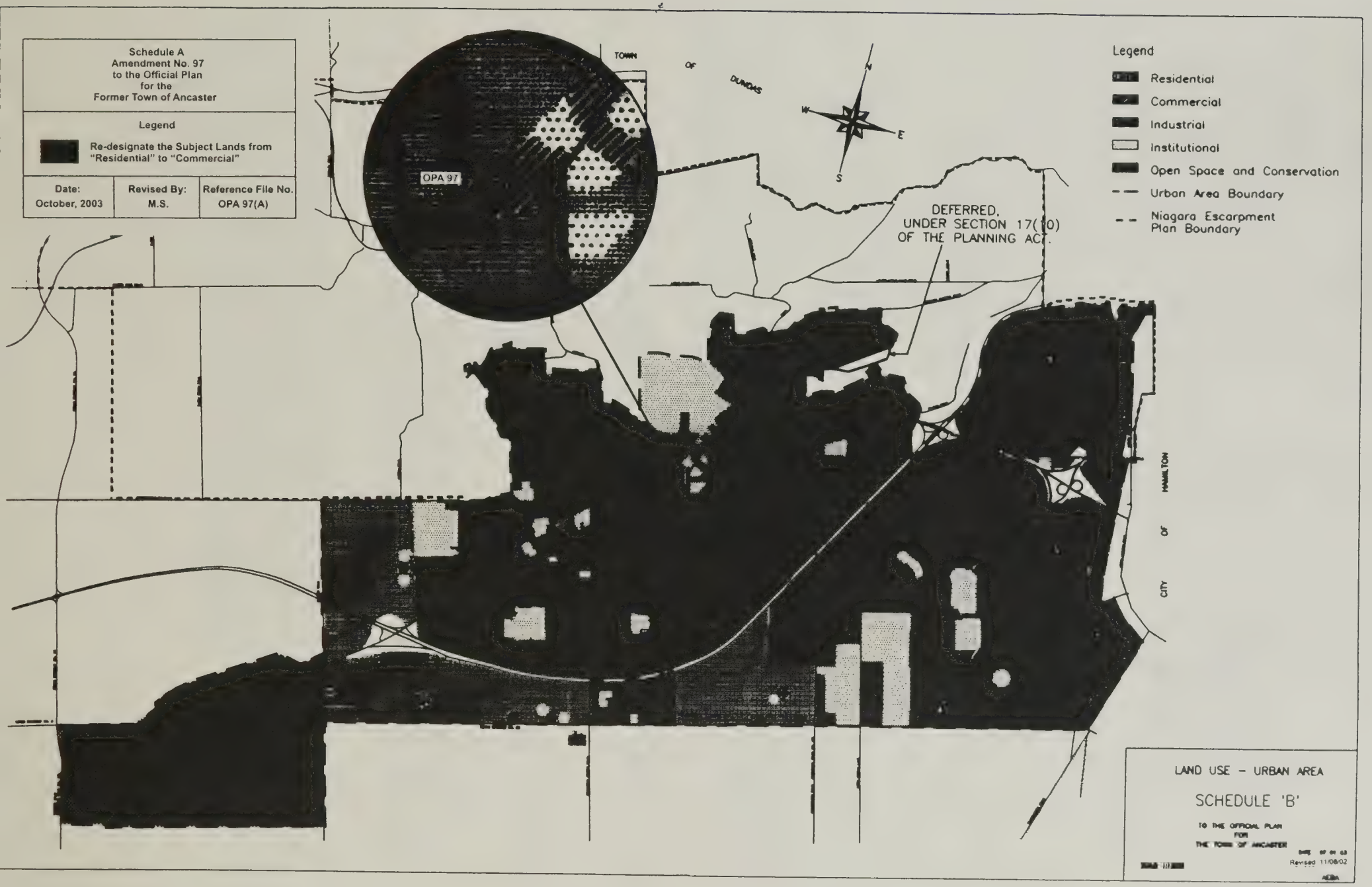
This is Schedule "1" to By-law No. 03-328 passed on the 29th day of October, 2003.

The
City of Hamilton

Mayor

City Clerk


Schedule A
Amendment No. 97
to the Official Plan
for the
Former Town of Ancaster
Legend
Re-designate the Subject Lands from "Residential" to "Commercial"
Date: October, 2003
Revised By: M.S.
Reference File No. OPA 97(A)
OPA 97
TOWN OF DUNDAS
DEFERRED, UNDER SECTION 17(10) OF THE PLANNING ACT.
CITY OF HAMILTON
Legend
Residential
Commercial
Industrial
Institutional
Open Space and Conservation
Urban Area Boundary
Niagara Escarpment Plan Boundary
LAND USE - URBAN AREA
SCHEDULE 'B'
TO THE OFFICIAL PLAN FOR THE TOWN OF ANCASTER
Revised 11/08/02


Schedule A
Amendment No. 97
to the Official Plan
for the
Former Town of Ancaster
Legend
Re-designate the Subject Lands from "Residential" to "Commercial"
Date: October, 2003
Revised By: M.S.
Reference File No. OPA 97(A)
OPA 97
TOWN OF DUNDAS
DEFERRED, UNDER SECTION 17(40) OF THE PLANNING ACT.
CITY OF HAMILTON
Legend
Residential
Commercial
Industrial
Institutional
Open Space and Conservation
Urban Area Boundary
Niagara Escarpment Plan Boundary
LAND USE - URBAN AREA
SCHEDULE 'B'
TO THE OFFICIAL PLAN
FOR
THE TOWN OF ANCASTER
Revised 11/08/02

CA4 HBL A08

B91

Authority: Item 17, Hearings Sub-Committee
Report 03-034 (PD03244)
CM: October 29, 2003

Bill No. 329

CITY OF HAMILTON

BY-LAW NO. 03-329

To Amend Zoning By-law No. 87-57 (Ancaster), as amended Respecting 231 and 241-245 Wilson Street East,

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 1 of Report 03- of the Hearing Sub-Committee at its meeting held on the 22nd day of October, 2003, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), approved by the Minister under the Planning Act on July 6, 1984, as amended by Official Plan Amendment No. 97 proposed by the Corporation of the City of Hamilton as By-law No. 03-328, but not yet approved in accordance with the provisions of the Planning Act.

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NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Maps 1 & 2 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning from Existing Residential "ER" and Site Specific General Commercial "C3-231" to Site Specific Village Area "VA-503" those lands being Part of Lot 44, Concession 2, former geographic township of Ancaster and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

2. Section 34: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

VA-503 Notwithstanding the provisions of Sub-section 25.1 – Permitted Uses of Section 25: Village Area "VA" Zone of Zoning By-law No. 87-57 (Ancaster), the following uses shall be permitted as it affects the lands zoned Village Area "VA-503" by this by-law, described as Part of Lot 44, Concession 2, geographic township of Ancaster and municipally known as 231 Wilson Street East and 241 to 245 Wilson Street East:

a) Permitted Uses:

- All uses permitted in the Village Area "VA" Zone
- Lounge
- Place of Entertainment or Recreation within wholly enclosed buildings
- Residential Uses located above the ground floor only

Notwithstanding any provisions of Sub-section 25.2 of Section 25: Village Area "VA" Zone, of Zoning By-law No. 87-57 (Ancaster) the following provisions shall apply:

a)	Minimum Front Yard	0 metres, plus a 10 metre setback from the Centre Line of Wilson Street East;
b)	Minimum Rear Yard	7.5 metres, except where a lot is abutting a Residential Zone or residential use the minimum rear yard shall be 13 metres; and,

c) The stone building existing on the day of passing of this by-law shall be retained;

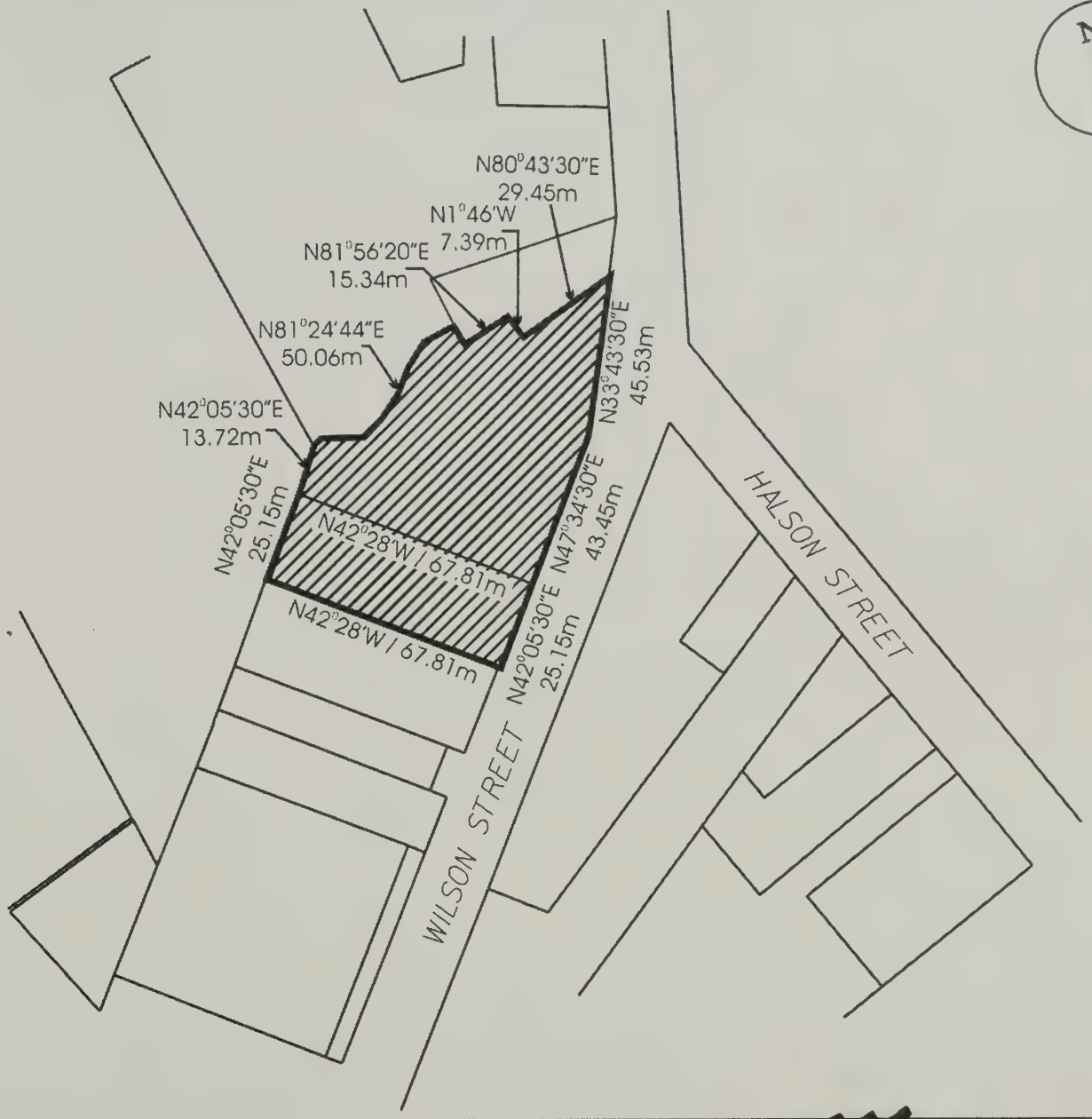
d) All other provisions of Zoning By-law No. 87-57 as applicable to the Village Area "VA" Zone shall apply.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003 .

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 329

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 329
to Amend By–Law No. 87-57

Hamilton

Planning and Development Department

Legend

Subject Property
231 – 245 Wilson Street East
Change in zoning from Existing Residential "ER" and modified General Commercial "C3-231" Zones to a Site Specific Village Area "VA-503" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-61/OPA-03-18
	Date	Drawn By
	September 15, 2003	NB

CA4 HBL A08

B91

Authority: Item 22, Hearings Sub-Committee
Report 03-034 (PD03280)
CM: October 29, 2003

Bill No. 330

CITY OF HAMILTON

BY-LAW NO. 03-330

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 430/432/434 McNeilly Road

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Prestige Industrial (Holding) "MT(H)" Zone to the Prestige Industrial "MT" Zone, the lands comprised of 430/432/434 McNeilly Road, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Holding) symbol affixed by By-law No. 3692-92, passed on the 8th day of December, 1992, to the Prestige Industrial (Holding) "MT(H)" Zone of the subject lands, the extent and boundaries of which are shown on a plan annexed as Map No. 3 of Schedule "A" to By-law No. 3692-92 appended to and forming part of By-law No. 3692-92 (Stoney Creek), is hereby removed, and the

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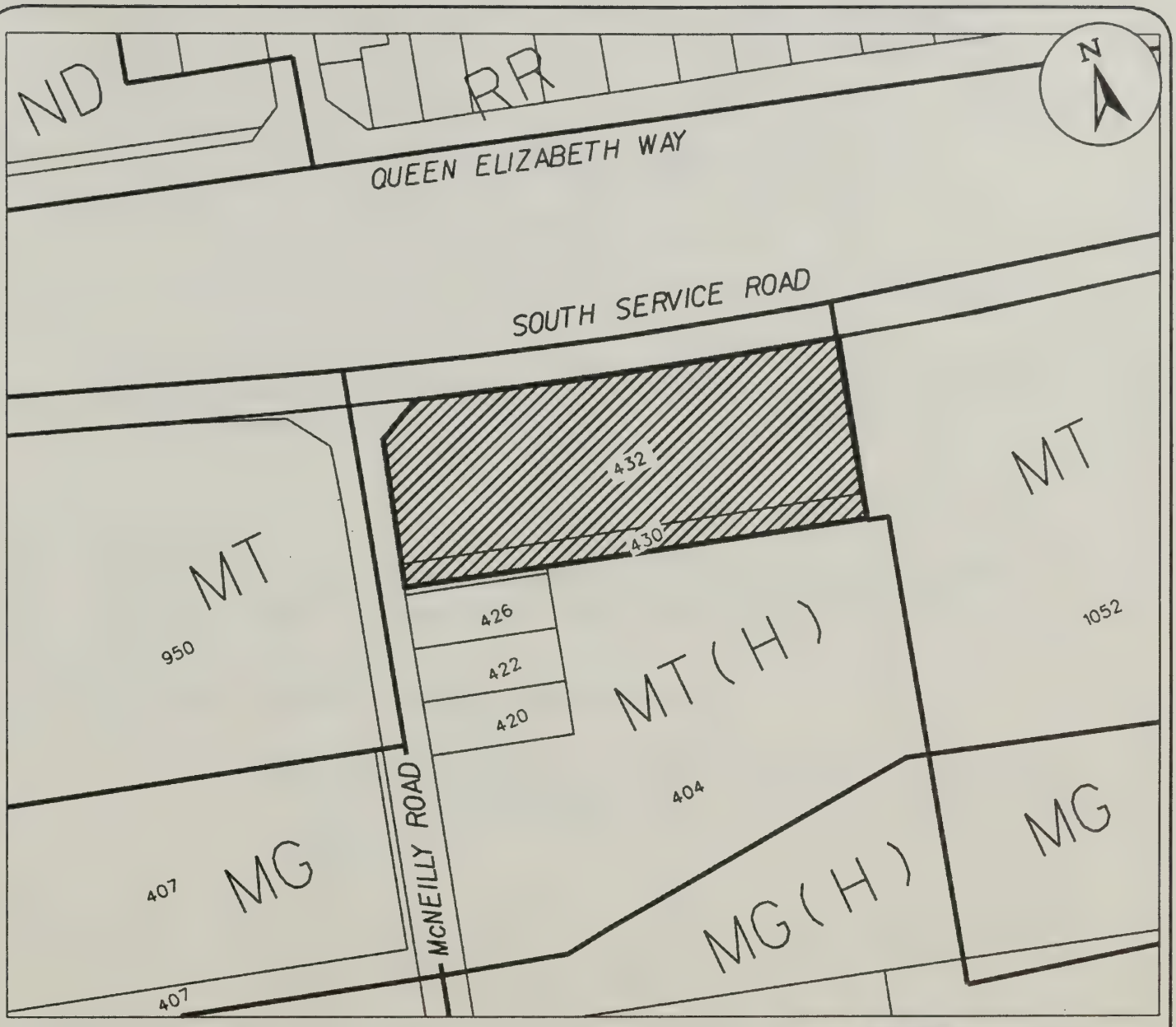
development of the lands may proceed in accordance with the Prestige Industrial "MT" Zone provisions of Zoning By-law No. 3692-92.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 330

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-330
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
430, 432, and 434 McNeilly Road
Change from Prestige Industrial - Holding "MT(H)" Zone to Prestige Industrial "MT" Zone.

North	Scale	Reference File No.
	NOT TO SCALE	ZAR-03-81
	Date	Drawn By
	Oct. 14, 2003	LM

CA4 HBL 408
B91

Authority: Item 21, Hearings Sub-Committee
Report: 03-034 (PD03272)
CM: October 29, 2003

Bill No. 331

CITY OF HAMILTON

BY-LAW NO. 03 -331

To Adopt:

Official Plan Amendment No. 96 to the Town of Flamborough Official Plan, and, Official Plan Amendment No 17 to the Regional Municipality of Hamilton-Wentworth Official Plan

Respecting:

Part of Lots 12 and 13, Concession 3 (East Flamborough), in the former Town of Flamborough, now in the City of Hamilton.

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 17 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Official Plan consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. Amendment No. 96 to the Official Plan of the former Town of Flamborough consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

3. It is hereby authorized and directed that such approval of the Official Plan Amendments referred to in section 1 and 2 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October, 2003

Mayor

City Clerk

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Amendments

to the

former Regional Municipality of Hamilton-Wentworth, and former Town of Flamborough Official Plans

The following text, together with Schedule "A" (Map No.1 – Regional Development Pattern, Official Plan of the former Regional Municipality of Hamilton-Wentworth) and Schedule "B" (Schedule B-1 – Land Use Plan – Flamborough Business Park Secondary Plan, Official Plan of the former Town of Flamborough), attached hereto, constitutes;

1. Official Plan Amendment No. 17 to the Regional Municipality of Hamilton-Wentworth Official Plan
2. Official Plan Amendment No. 96 to the Town of Flamborough Official Plan.

Purpose:

The purpose of these Amendments is to expand an existing site-specific policy area and modify the associated site-specific policies to permit the development of a 'big box' retail centre.

Location:

The subject property comprises 24.27 hectares (59.96 acres) and is situated at the southeast corner of Highway No.6 and Highway No. 5 (Dundas Street) in the former Town of Flamborough commonly referred to as Clappison's Corners.

Schedule "A" attached hereto and forming part of this Amendment shows the location of the lands affected by this Amendment. These lands are legally described as, Part of Lots 12 and 13, Concession 3 (East Flamborough), in the former Town of Flamborough, now in the City of Hamilton.

Basis:

- Amendment No. 78 to the Town of Flamborough Official Plan and Amendment No. 8 to the Hamilton-Wentworth Official Plan established site specific policies to permit the development of 'big box'-type commercial development on the western portion of the subject lands.
- The location of the subject lands at the intersection of two major highways is appropriate for the proposed commercial development.

- The amendment will permit uses that are compatible with the surrounding properties and are appropriate and desirable use of the subject properties.
- The proposed grocery store would not impact negatively on the planned grocery store function within Waterdown.
- Existing Town of Flamborough Official Plan policies provide for a buffer between the proposed use, the adjacent quarry and the Niagara Escarpment brow to the south.

Actual Changes:

1. **Regional Official Plan**

a) Map No. 1, Regional Development Pattern is hereby revised by adding "Special Policy Area 6", as shown on the attached Schedule "A" of this Amendment.

b) Section 3.1.3.1 is hereby revised by adding an new subsection, 3.1.3.1 c) as follows:

"c) Notwithstanding Section 3.1.3.1 b), department stores and grocery stores may be permitted in the area shown on Map No.1 as Special Policy Area No.6 (SPA 6)."

c) Section 4.14 is hereby deleted.

2. **Town of Flamborough Official Plan**

a) Schedule "A-1" - Land Use Plan - Flamborough Business Park Secondary Plan is, hereby revised by

(i) removing the annotation to OPA # 73 on the subject lands;

(ii) identifying the subject lands as OPA # 96 - Site Specific Area #4; and,

(iii) re-designating a portion of the subject lands from "General Industrial-Commercial" to "Prestige Industrial-Commercial".

b) Sections A.6.2.2.4 and A.6.2.2.4.1 are hereby deleted in their entirety and replaced with the following sections:

"**A.6.2.2.4 Prestige Industrial – Commercial - Site Specific Area #4 (Flamborough Power Centre)**

In response to a changing market, 'big box' retail has proven to be a successful retail format. The proposed type of retail will carry a range of products and services, and these facilities tend to distinguish themselves from local downtowns and shopping centres based on their large size

format and the increased market area that they typically serve. The following uses are permitted within Site Specific Area #4 (Flamborough Power Centre):

(i) A business, professional, administrative office building;

(ii) Research and development facilities;

(iii) Hotel/motel;

(iv) Government service buildings such as firehalls and ambulance stations;

(v) Recreational and entertainment facilities;

(vi) Financial institution, personal and business services, convenience store, and fast food and standard restaurants;

(vii) Wholesale and/or retail warehouses;

(viii) Retail establishments;

(ix) Home improvement, household furniture and/or appliance outlet and/or lawn and garden centre;

(x) Department store; and

(xi) Grocery store.

A.6.2.2.5 In addition to the site plan requirements for the Town, the lands shown on Schedule "A-1" as Prestige Industrial-Commercial – Site Specific Area #4 shall be developed in accordance with the following policies:

(i) A wholesale and/or retail warehouse is a facility which is either large scale and distributes a broad range of goods, or distributes high volumes of a specific type of merchandise, and functions in a warehouse format where most goods are stored, displayed and offered for sale in one and the same area;

(ii) The maximum gross floor area for all combined retail establishments shall generally be 52,000 square meters (550,000 square feet);

(iii) Individual retail establishments will generally have a minimum size of 1,858 square metres (20,000 square feet). However, subject to a

Retail Impact Analysis, the Zoning-By-law may permit smaller store areas, including retail establishments without further amendment to this Plan;

(iv) A maximum of 6 individual wholesale and retail warehouse facilities or retail establishments each having a gross floor area of between 465 square metres (5,005 square feet) and 700 square metres (7535 square metres).

(v) A "gateway" feature will be required to establish the site as a focal point to one of the major entrances to the Waterdown urban area;

(vi) Enhanced landscaping and tree planting will be required especially as the site relates to Highway 5 and 6 and the internal road pattern;

(vii) Development must ensure adequate traffic infrastructure both on the site and at the access points; and development will be phased-in accordingly with road improvements;

(viii) In keeping with the existing Official Plan policies, buffering and screening of the site relative to the lands to the south will be required. In addition, consideration will be required to identify and provide for a suitable barrier or fence to prevent trespassing on lands to the south.

Implementation:

A Zoning By-Law amendment and site plans will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-331, passed on the 29th day of October, 2003.

The

City of Hamilton

Mayor

City Clerk

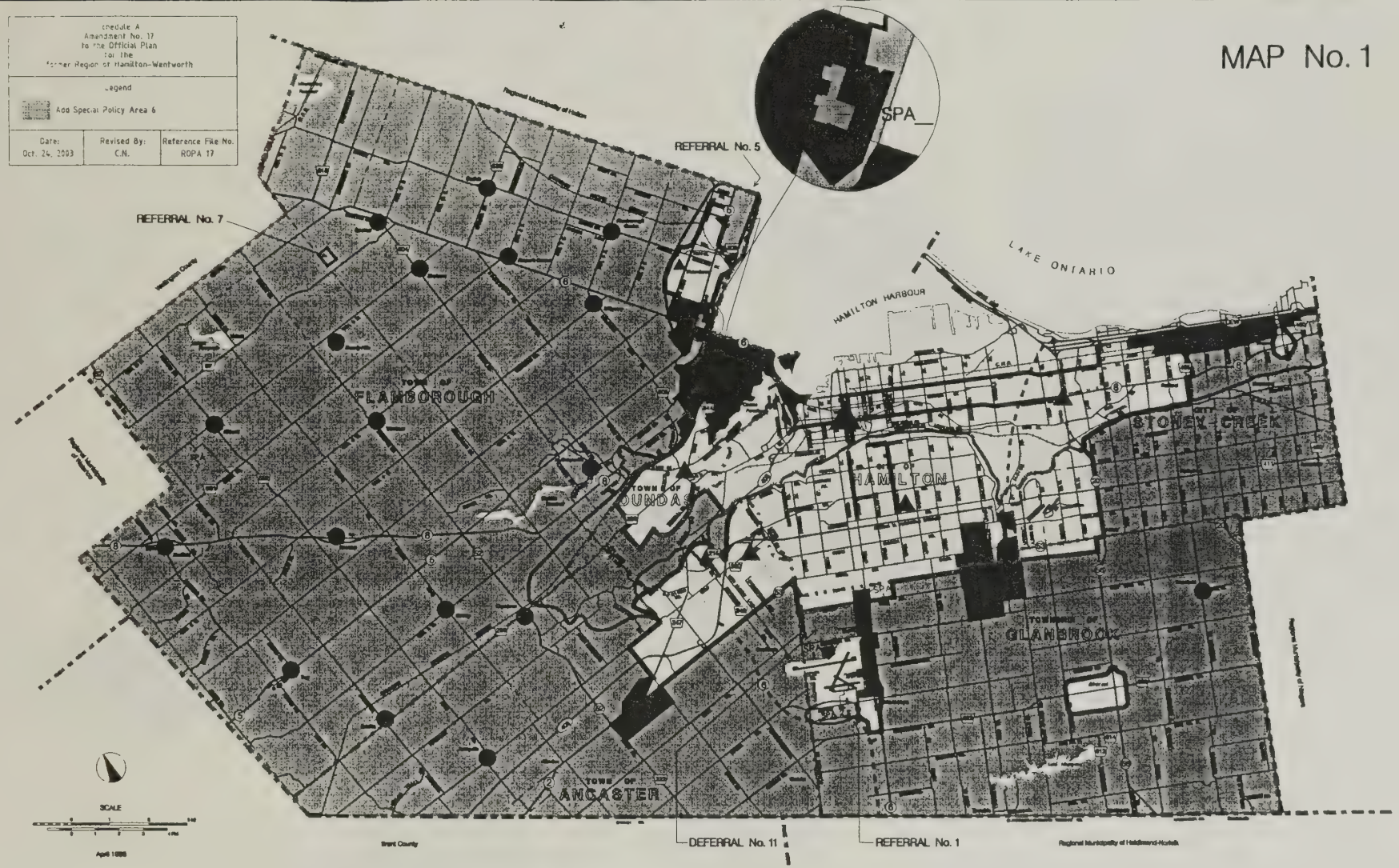
MAP No. 1

Schedule A
Amendment No. 17
to the Official Plan
for the
former Region of Hamilton-Wentworth

Legend

Add Special Policy Area 6

Date:	Revised By:	Reference File No.
Oct. 24, 2003	C.N.	ROPA 17



URBAN AREAS

- Urban Area Boundary
- Urban
- Business Parks
- Regional Centre
- Mixed-use Centre
- High Density Mixed-use Corridors

RURAL AREAS

- Rural Area
- Rural Settlements

OTHER

- Parkway Belt West Policy Areas
- SPA — Special Policy Areas
- Airport
- Future Roadway
- Municipal Boundary

REGIONAL DEVELOPMENT PATTERN

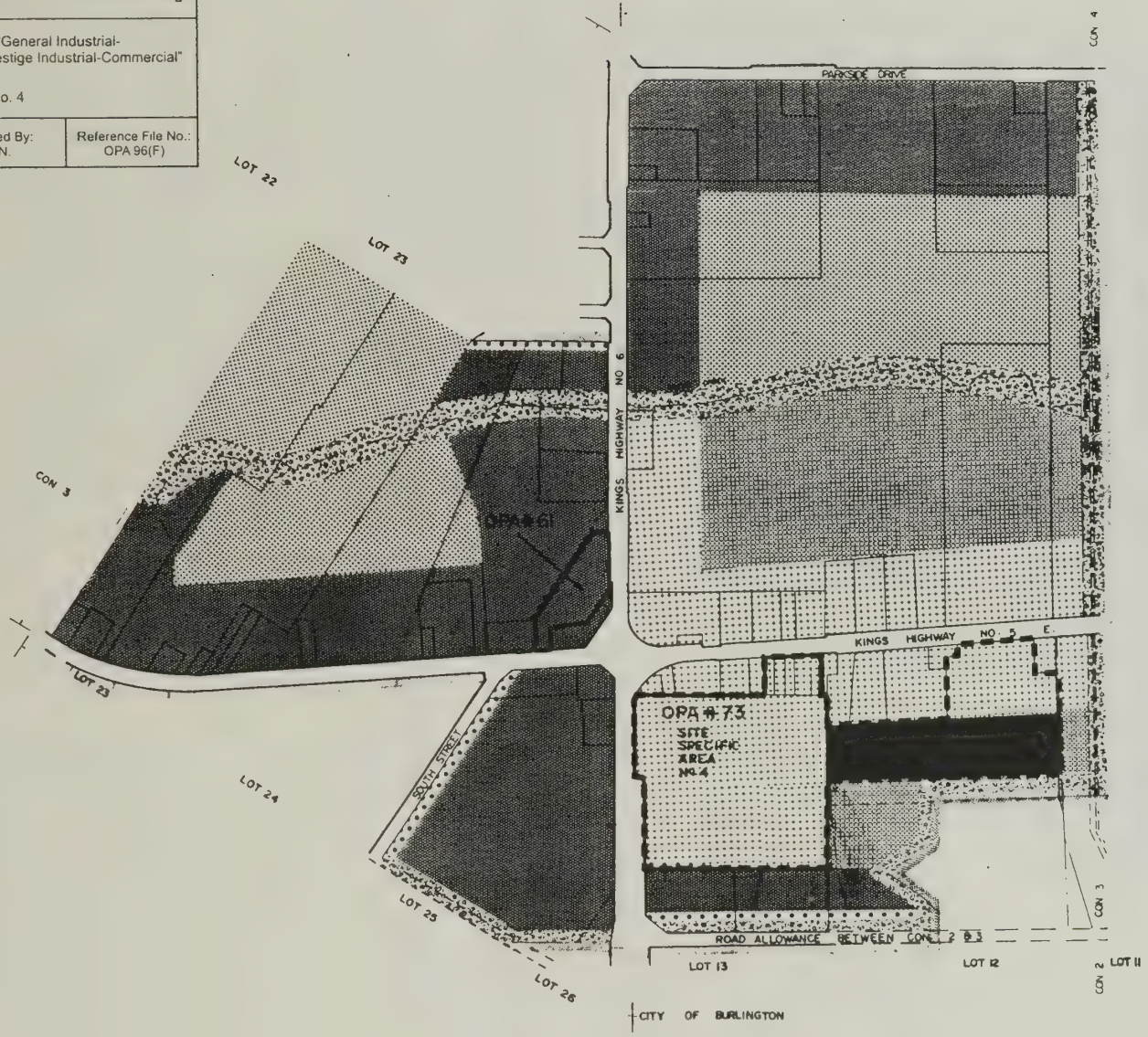
THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Environment Department

Schedule B
Amendment No. 96
To the Official Plan of the Former Town of Flamborough

Re-designate from "General Industrial-Commercial" to "Prestige Industrial-Commercial"

OPA #96
Site Specific Area No. 4

Date:	Revised By:	Reference File No.:
Oct. 24, 2003	C.N.	OPA 96(F)



Schedule 'A-1'
Land Use Plan

FLAMBOROUGH BUSINESS PARK SECONDARY PLAN

- INDUSTRIAL BUSINESS PARK BOUNDARY
- Prestige Industrial
- Prestige Industrial – Commercial
- General Industrial
- General Industrial – Commercial
- Open Space
- Special Treatment Area

Scale 1":400'

NOTE: Consolidation of Official Plan Amendment numbers 1, 20, 23, and 38.

NOTE: This is an office consolidation. References should be made to the original Official Plan and Amendments.

CA4 HBL A08
B91

Authority: Item 21, Hearings Sub-Committee
Report 03-034 (PD03272)
CM: October 29, 2003

Bill No. 332

CITY OF HAMILTON

BY-LAW NO. 03-332

To Amend Zoning By-law No. 90-145-Z (Flamborough) respecting lands described as being within Part of Lots 12 & 13, Concession 3, in the geographic former Township of East Flamborough, now in the City of Hamilton

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Flamborough" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November, 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Flamborough);

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "A-29", appended to and forming part of By-law No. 90-145-Z (Flamborough), be amended as follows:

    1. Schedule No. A-29, attached to and forming part of Zoning By-law No. 90-145-Z, is hereby amended by changing the zoning from the Prestige Industrial "M1" Zone, the Prestige Industrial "M1-1" Zone, the Prestige Industrial "M1-5" Zone, the Prestige Industrial Holding "M1-5 (H)" Zone, the Prestige Industrial "M1-6" Zone, and the General Industrial "M2-1" Zone to Prestige Industrial Holding "M1-11-1" and "M1-11-2" (H) Zones, and to a

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Bri

Prestige Industrial Holding "M1-11" (H) on those lands being within Part of Lots 12 & 13, Concession 3, in the geographic former Township of East Flamborough shown as Blocks "1" and "2" on Schedule 'A' attached to and forming part of this By-law.

2. Section 29 – Prestige Industrial "M1" Zone of Zoning By-law No. 90-145-Z (Flamborough) is hereby amended by adding thereto the following subsection:

29.3 EXCEPTION NUMBERS

No person shall use any lot or erect, alter or use any building or structure within any Prestige Industrial "M1-11" Zone except in accordance with the following provisions:

29.3.4 'M1-11' (See Schedule A-29)

(a) PERMITTED USES

Wholesale and Retail Warehouse Facilities
Retail Establishments
Automobile Service Station subject to Section 21.2
Business, Professional or Administrative Office
Medical Clinic
Computer, Electronic or Data Processing Establishment
Dry Cleaning Establishment
Dry Cleaning Distribution Station
Financial Institution
Funeral Home
Industrial Research and Development Establishment
Personal Service Establishment
Place of Entertainment
Place of Recreation
Printing or Publishing Establishment
Restaurant - standard, convenience or fast food
Video Rental Establishment

(b) ZONE PROVISIONS

(i) Minimum Lot Frontage ..... 30 metres

(ii) Minimum Lot Area ..... 8,000 square metres

(iii) Maximum Lot Coverage ..... 30 percent

(iv) Maximum Total Gross Floor Area ..... 52,000 square metres

(v) Minimum Gross Floor Area (G.F.A.) for each Wholesale and Retail Warehouse Facility or Retail Establishment ..... 1,858 square metres

(vi) Maximum Gross Floor Area (G.F.A.) for each Wholesale and Retail Warehouse Facility or Retail Establishment ..... 12,077 square metres

(vii) Notwithstanding Subsections (v) and (vi) above, a maximum of six (6) individual wholesale and retail warehouse facilities or retail establishments each having a gross floor area between 465 square metres and 700 square metres shall be permitted.

(viii) Notwithstanding (vi) above and Section 3 – Definitions, non-retail floor space shall not be included in the calculation of maximum gross floor area for a Supermarket.

(ix) Each use shall be contained in a building having all of its customer access doors opening directly outdoors and shall not open onto another store or an enclosed corridor.

(x) Notwithstanding the provisions of Section 5.21 – PARKING REGUALTIONS, the minimum number of parking spaces to be provided and maintained for all uses shall be five (5) spaces per 100 square metres of gross floor area.

(xi) Notwithstanding any other provisions of Zoning By-law No. 90-145-Z to the contrary, lands zoned Prestige Industrial "M1-11" and identified on Schedule "A" to this By-law shall be treated as a single lot for zoning purposes, notwithstanding any consolidation or division of the same and the internal lot lines shall not be construed to be lot lines for the purposes of any zoning regulations, provided all applicable regulations of this By-law relative to all of the lands zoned Prestige Industrial "M1-11" and their external lot lines are observed.

(xii) All other provisions of Subsection 29.2 shall apply.

(c) That the amending Zoning By-law apply the Holding provisions of Section 36 (1) of the Planning Act, R.S.O., 1990, to Blocks "1" and "2" by introducing the Holding symbol 'H' as a suffix to the proposed Site-Specific Prestige Industrial Zone.

The Holding provision "M1-11-1" will prohibit the use of the subject lands for the proposed purposes as it affects Block "1" until such time that the owner submits a clearance letter from the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements, to the satisfaction of the Director of Development Planning and Real Estate.

The Holding provision "M1-11-2" will further prohibit the use of subject lands for the proposed purposes as it affects Block "1" beyond a maximum total gross floor area of 25,084 square metres, until the construction of a public road allowance and signal installation at Dundas Street, to the satisfaction of the Supervisor of Traffic Planning, Public Works.

The Holding provision will prohibit the use of the subject lands for the proposed purposes as it affects Block "2" until such time that:

(i) a municipal road allowance connecting the subject lands to Dundas Street East (Hwy. No. 5) has been dedicated to the City of Hamilton by way of a plan of subdivision to provide appropriate access to the subject lands, to the satisfaction of the Director of Development and Real Estate;

(ii) the necessary road accesses and roadway infrastructure works, including Hwy. Nos. 5 & 6 interchange reconstruction, are complete, to the satisfaction of the City of Hamilton and the Ministry of Transportation.

(iii) the owner submits a clearance letter from the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements, to the satisfaction of the Director of Development Planning and Real Estate.

(iv) the owner addresses the stormwater management and downstream monitoring requirements to the satisfaction of the Halton Conservation Authority.

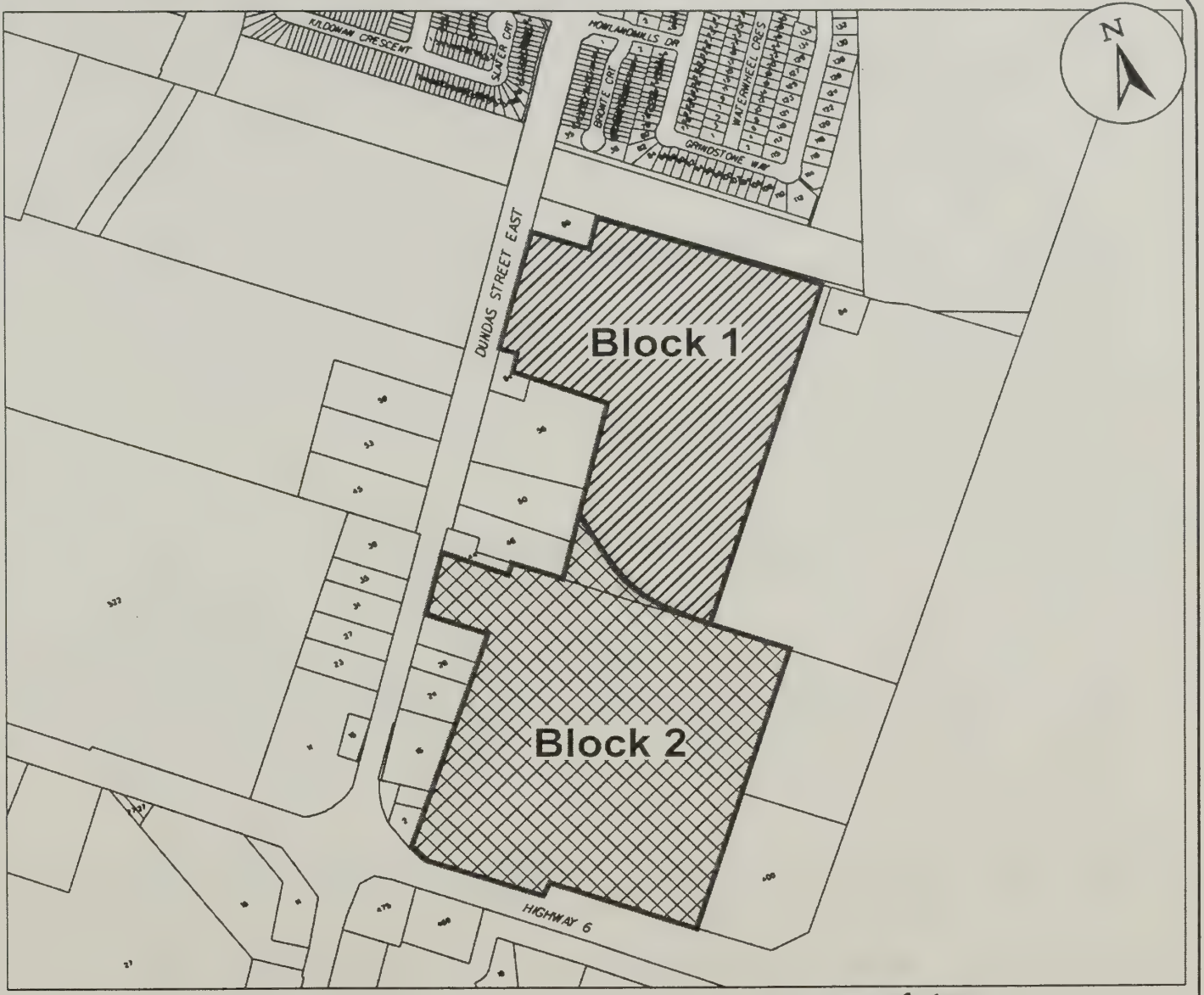
City Council may remove the 'H' symbol and, thereby, give effect to the Site-Specific Prestige Industrial "M1-11" Zone provisions by enactment of an amending By-law once the conditions are fulfilled;

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 332

Passed the 29th day of October,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 332
to Amend By–Law No. 90-145-Z

Hamilton

Planning and Development Department

Subject Property

Block 1

Change in Zoning to Prestige Industrial Holding "M1-11-1" (H) Zone and "M1-11-2" (H) Zone

Block 2

Change in Zoning to Prestige Industrial Holding "M1-11" (H) Zone

North	Scale	Reference File No
	NOT TO SCALE	*ZAC-03-13*
	Date	Drawn By
	Oct. 20, 2003	*LM*

CA4 HBL A08
B91

Authority: Item 19, Hearings Sub-Committee
Report 03-034 (PD03253)
CM: October 29, 2003

Bill No. 333

CITY OF HAMILTON

BY-LAW NO. 03-333

To Amend:

Zoning By-law No. 3581-86 (Dundas),

Respecting:

LANDS LOCATED AT 40 COOTES DRIVE
Owned by 690721 Ontario Inc.
(former Town of Dundas)

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Dundas), in accordance with the provisions of the Planning Act.

CA4 HAE A08
IPB

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A" (Central Business District) of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby amended by changing the zoning of the lands that are known municipally as part of 40 Cootes Drive and identified as **Block "1"** from the Highway Commercial Floodplain "CH-FP" Zone to the Medium Density Multiple Dwelling - Floodplain "RM2-FP/S-103" Zone and as **Block "2"** from the Residential "R2" Zone to the Medium Density Multiple Dwelling - Floodplain "RM2-FP/S-103" Zone, more particularly shown on Schedule "A" which forms part of this By-law.

2. Section 34.2: Exceptions of Zoning By-law No. 3581-86 (Dundas), is hereby further amended by adding the following new subsection:

RM2-FP/S-103 Permitted Uses

Only an apartment building having a maximum of 6 units and buildings, structures or uses accessory to the apartment building shall be permitted.

Regulations

Notwithstanding the provisions of subsection 13.1 PERMITTED USES, and subclauses 13.2.1.1 LOT AREA, 13.2.1.2 LOT FRONTAGE, 13.2.2.2 SIDE YARD, 13.2.2.3 REAR YARD, of subsection 13.2 REGULATIONS FOR APARTMENT BUILDINGS OF SECTION 13: MEDIUM DENSITY MULTIPLE DWELLING ZONE and subclause 7.13.1.1 of subsection 7.13, OFF-STREET LOADING SPACE REQUIREMENTS OF SECTION 7: OFF-STREET PARKING AND LOADING, the following provisions shall apply to the lands shown as "RM2-FP/S-103" on Schedule "A":

1. The minimum lot area shall be 1,372.5 square metres.

2. The minimum lot frontage shall be 12 metres.

3. The minimum exterior side yard shall be 3 metres.

4. The minimum rear yard shall be 3 metres

5. A loading space shall not be required.

6. The minimum elevation for building openings shall be 82.6 metres geodetic.

3. All other regulations of Section 13, Medium Density Multiple Residential (RM2) Zone, Section 6, General Provisions and Section 7, Parking and Loading of Zoning By-law 3581-86 (Dundas) shall continue to apply.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003 .

MAYOR

CLERK

This is Schedule "A" to By-Law No. 03—333

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-333
to Amend By–Law No. 3581-86

Hamilton

Planning and Development Department

Legend

Subject Property
40 Cootes Drive

Block 1 - Change from "CH-FP" Zone to "RM2-FP/S-103" Zone

Block 2 - Change from "R2" Zone to "RM2-FP/S-103" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-70
	Date	Drawn By
	October 24, 2003	NB

CA4 HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report: 03-034 (PD03270)
CM: October 29, 2003

Bill No. 334

CITY OF HAMILTON

BY-LAW NO. 03-334

To Adopt:

Official Plan Amendment No.106 to the Former City of Stoney Creek Official Plan;

Respecting:

Lands municipally known as
Part of Lot 3, Broken Front Concession, Former Township of Saltfleet, specifically Block 53, Block 85, Lots 2, 3, 4 and 84 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision, and Block 36 as redlined by staff of the Lake Vista West Draft Plan of Subdivision

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 106 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October, 2003

MAYOR

CLERK

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Schedule "1"

Amendment No. 106

to the

Official Plan for the former City of Stoney Creek

The following text together with Schedule "A", General Land Use Plan and Schedule A4, Secondary Plan Urban Lakeshore Area, of the Official Plan of the former City of Stoney Creek, attached hereto, constitute Official Plan Amendment No. 106.

Purpose:

The purpose of this Amendment is:

- to redesignate a portion of the subject property from Neighbourhood Park to Low Density Residential;
- to redesignate a portion of the subject property from Low Density Residential to Neighbourhood Park; and
- to create an Open Space - Stormwater Management Facility designation
- to redesignate a portion of the subject property from Neighbourhood Park to Open Space - Stormwater Management Facility; and
- to add a special policy to permit a decrease in the required size of the neighbourhood park

to permit the reconfiguration of a neighbourhood park and residential, to identify the location of the stormwater management pond within the Lake Vista Central and Lake Vista West Draft Plans of Subdivision, and to permit a Neighbourhood Park with a minimum area of 0.66 hectares.

Location:

The lands affected by this Amendment are Part of Lot 3, Broken Front Concession, Former Township of Saltfleet, specifically Block 53, Block 85, Lots 2, 3, 4 and 84 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision, and Block 36 as redlined by staff of the Lake Vista West Draft Plan of Subdivision with an area of approximately 2.2 hectares.

Basis:

This Amendment will redesignate the subject land to permit the reconfiguration of a neighbourhood park and residential lots, and to recognize the location of the stormwater management facility, and to permit the neighbourhood park to have a minimum size of 0.66 hectares. The basis for permitting this Amendment is as follows:

- The main function of the Neighbourhood Park in this location has always been to provide a passive amenity area, rather than active playfields, that includes public access to the lakeshore, picnic and playground areas, one or more recreational facilities such as a bocce ball or basketball court, and a pathway. At a reduced size of 0.66ha this intended function for the park can still be maintained.

- The developer will be required to submit and implement detailed landscape plans for the storm water pond which is adjacent to the proposed park to show how the facility will incorporate accessible and safe public amenity areas. Such amenity areas will include, but not be limited to, a public pathway from the Neighbourhood Park to the lake. Designed in such a manner, the stormwater management area will complement and be integrated with the 0.66ha park. This requirement is set out in the revised conditions for the Lake Vista Central subdivision. It should be noted, that notwithstanding this condition, and consistent with Subsection F.8, Municipal Land Acquisition, of the Official Plan as amended, with respect to park land dedication, no part of the stormwater management block, as redlined in Appendix "B", will be taken as parkland dedication.

Actual Changes:

1. Schedule "A", General Land Use Plan, be revised by identifying the subject lands as OPA No. 106 as shown on Schedule "A" to this Amendment.

2. Schedule "A4", Secondary Plan Urban Lakeshore Area, Fifty Point Neighbourhood, as shown on Schedule "B" to this Amendment, be revised by:

   a) redesignating Lots 2, 3, 4 and 84 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision from "Neighbourhood Park" to "Low Density Residential";

   b) redesignating Block 85 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision and Block 36 as redlined by staff of the Lake Vista West Draft Plan of Subdivision from "Low Density Residential" to "Neighbourhood Park";

c) redesignating Block 53 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision from "Neighbourhood Park" to "Open Space - Stormwater Management Facility",

d) adding the land use designation, "Open Space - Stormwater Management Facility" to the Legend, and

e) relocating the Off Street Bikeway / Walkway to the west side of Block 36 as redlined by staff of the Lake Vista West Draft Plan of Subdivision, and Block 53 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision.

3. That Subsection A.7, Open Space, be amended as follows:

a) By adding policy A.7.2.4 e) as follows:

"A.7.2.4 e) STORMWATER MANAGEMENT FACILITY shall be used primarily for stormwater drainage purposes such as stormwater drainage channels and ponds to control stormwater quantity and improve stormwater quality, as well as compatible trail or passive recreation purposes.

b) By adding policy A.7.2.14 as follows:

"A.7.2.14 Notwithstanding the minimum area provision of policy 7.2.4 a), for the lands located at Part of Lot 3, Broken Front Concession, Former Township of Saltfleet, specifically Block 36 as redlined by staff of the Lake Vista West Draft Plan of Subdivision and Block 85 as redlined by staff of the Lake Vista Central Draft Plan of Subdivision, a neighbourhood park with a minimum area of 0.66 hectares (---- acres) shall be permitted."

Implementation:

An implementing Zoning By-Law Amendment and Plan of Subdivision will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-334, passed on the 29th day of October, 2003

The

City of Hamilton

Mayor

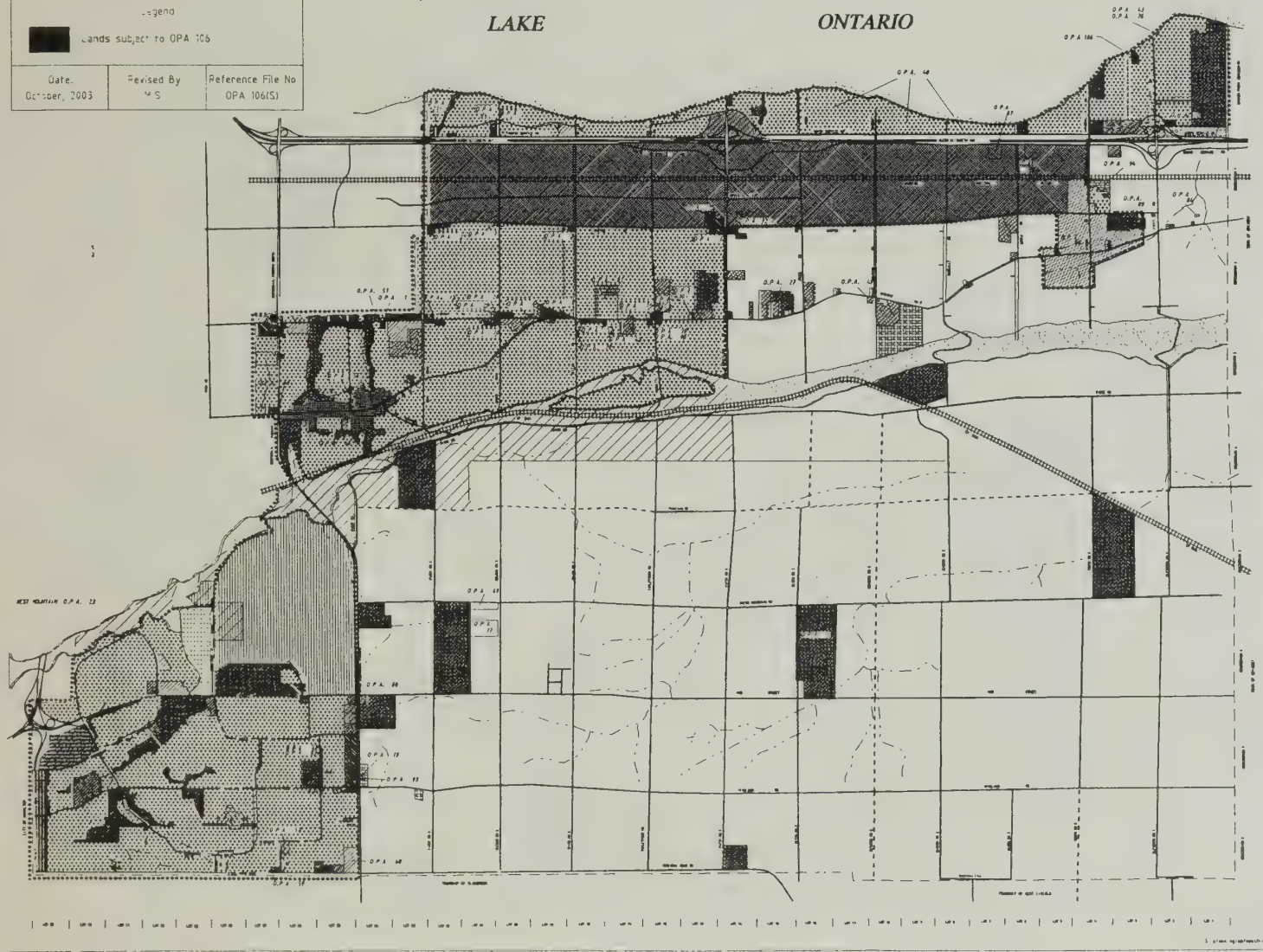
City Clerk

Schedule A
Amendment No. 106
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands subject to OPA 106

Date:	Revised By	Reference File No
October, 2003	M S	OPA 106(S)



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

Legend

Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Medium Density Residential
- Special Policy Area 'A'
- Special Policy Area 'B'
- Special Policy Area 'C' (West Mountain Core Area)
- Municipal Boundary
- Business Improvement Area (B I A)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A Official Plan Amendment
- Sub Regional Centre

N

CITY OF STONEY CREEK
PLANNING DEPARTMENT

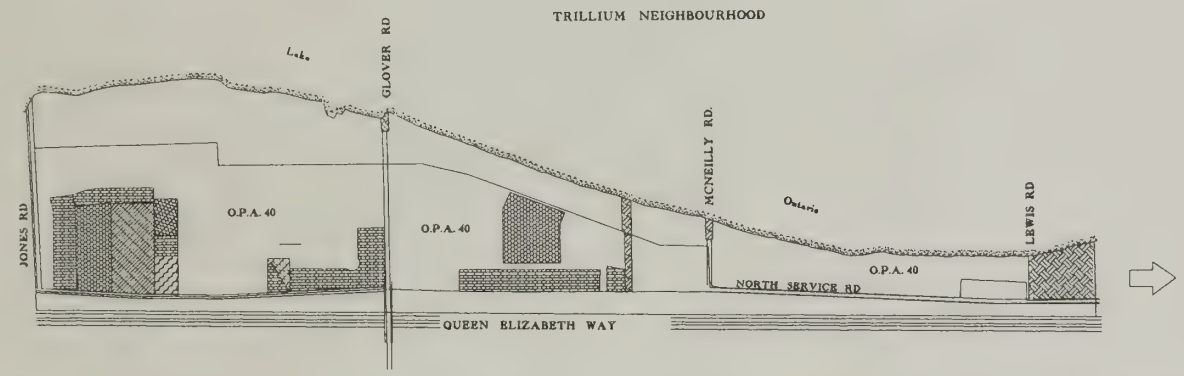
October 2002

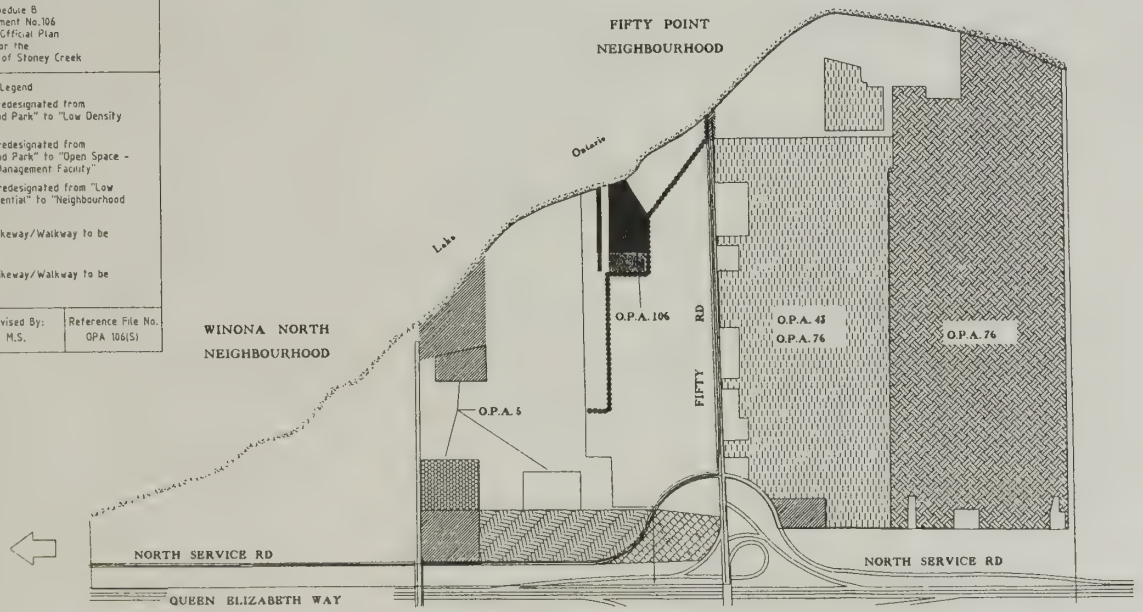
CITY OF STONEY CREEK
OFFICIAL PLAN

Schedule "A4"

Secondary Plan

Urban Lakeshore Area





Schedule B
Amendment No.106
to the Official Plan
for the
former City of Stoney Creek

Legend

- Lands to be redesignated from "Neighbourhood Park" to "Low Density Residential"
- Lands to be redesignated from "Neighbourhood Park" to "Open Space - Stormwater Management Facility"
- Lands to be redesignated from "Low Density Residential" to "Neighbourhood Park"
- Off Street Bikeway/Walkway to be deleted
- Off Street Bikeway/Walkway to be added

Date:	Revised By:	Reference File No.
October, 2003	M.S.	OPA 106(S)

Legend

Land Use Designations

- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- Institutional
- Elementary School
- Off Street Bikeway / Walkway
- On Street Bikeway
- Municipal Boundary
- District Boundary
- Collector Road
- Open Space-Special Park
- Neighbourhood Park
- Local Commercial
- General Commercial
- Highway Commercial
- Special Policy Area "B"
- Open Space - Stormwater Management Facility

CITY OF STONEY CREEK
PLANNING DEPARTMENT

Scale: 1:5000

Updated January 17th, 2000

CA4 HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report 03-034 (PD03270)
CM: October 29, 2003

Bill No. 335

CITY OF HAMILTON

BY-LAW NO. 03-335

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located North of North Service Road
Part of Lot 3, Broken Front Concession
In the Subdivision known as "Lake Vista Central"**

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 6.2.7 and 11.2.5 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

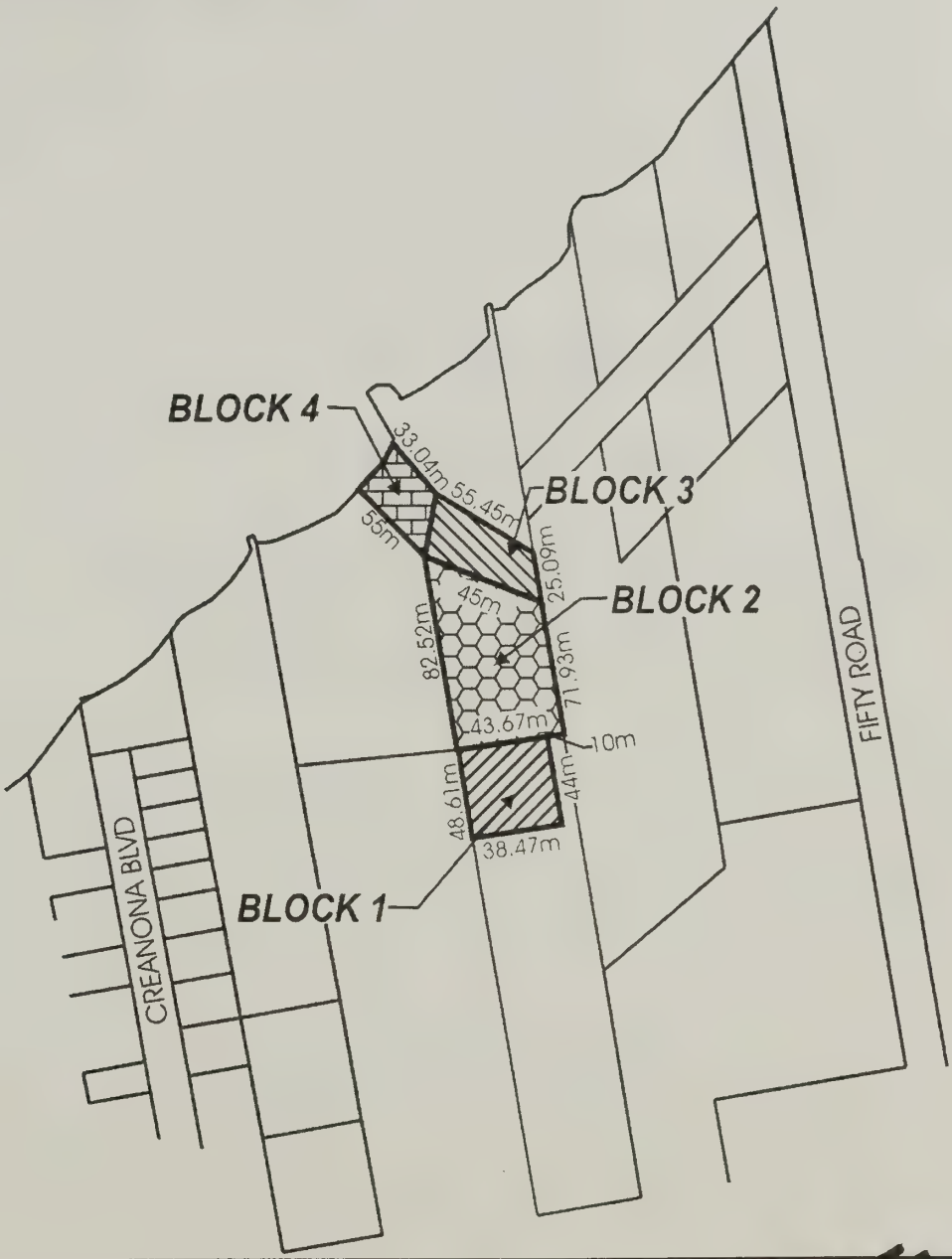
   (a) by changing the zoning from the site-specific Single Residential "R1-7" Zone to the Park "P" Zone, the lands comprised of Block 1;

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—335

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-335
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

- **Block 1** Rezoning from the site-specific Single Residential "R1-7" Zone to the Park "P" Zone.
- **Block 2** Rezoning from the Park "P" Zone to the site-specific Single Residential "R1-7" Zone.
- **Block 3** Rezoning from the Park "P" Zone to the site-specific Single Residential "R1-15" Zone.
- **Block 4** Rezoning from the Park "P" Zone to the site-specific Open Space "OS-10" Zone.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-35
	Date	Drawn By
	October 23, 2003	NB

CA4 HBL A08
B91

Authority: Item 1, Hearings Sub-Committee
Report 03-034 (PD03262)
CM: October 29, 2003

Bill No. 336

CITY OF HAMILTON

BY-LAW NO. 03-336

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located North of Baseline Road
Part of Lot 3, Broken Front Concession
In the Subdivision known as "Lake Vista West"**

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended by changing the zoning from the site-specific Single Residential "R1-7" Zone to the Park "P" Zone, the lands comprised of the subject property, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

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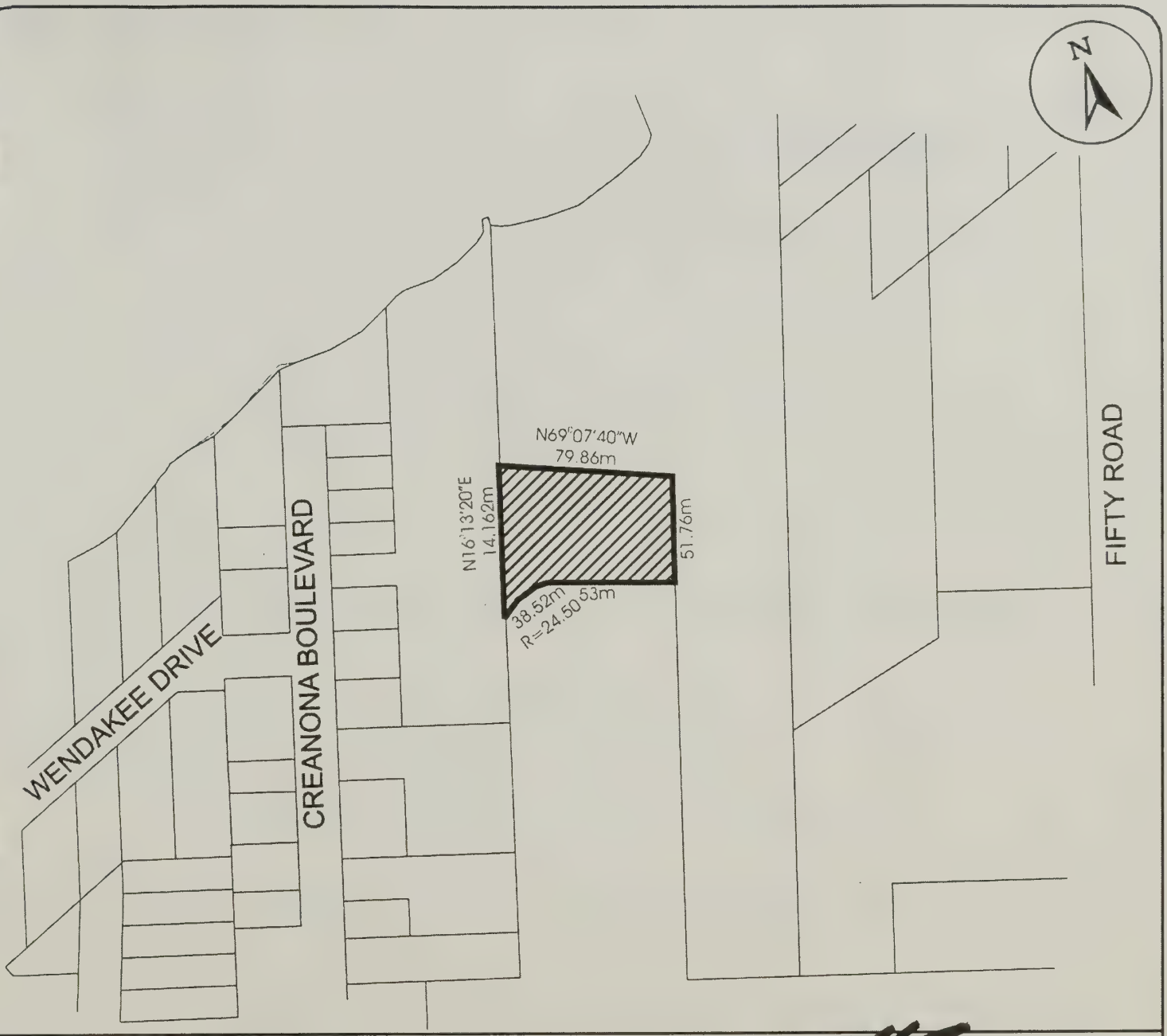
B41

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 336

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 336
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
Lake Vista West
Change from the Site-Specific Single Residential "R1-7" Zone to the Park "P" Zone.

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-36
	Date	Drawn By
	October 23, 2003	NB

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B91

Authority: Item 3, Hearings Sub-Committee
Report: 03-034 (PD03275)
CM: October 29, 2003

Bill No. 337

CITY OF HAMILTON

BY-LAW NO. 03-337

To Adopt:

Official Plan Amendment No.107 to the Former City of Stoney Creek Official Plan;

Respecting:

Lands municipally known as

Part of Lot 3, Broken Front Concession (Stoney Creek)

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 107 to the Official Plan of the former City of Stoney Creek Planning Area consisting of Schedule A, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October 2003

MAYOR

CLERK

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Schedule "A"

Amendment No. 107

to the

former City of Stoney Creek Official Plan

The following text together with Schedule "1", Secondary Plan – Urban Lakeshore Area and Schedule "2"- General Land Use Plan, attached hereto, constitutes Official Plan Amendment No. 107.

Purpose:

The purpose of this Amendment is to add a site-specific policy permitting reduced lot frontage and lot area on the subject lands.

Location:

The lands subject to this Amendment are located in Part of Lot 3, Broken Front Concession (Stoney Creek) in the Fifty Point Neighbourhood.

Basis:

The basis for providing an exemption to Section 13.4.9 of the Stoney Creek Official Plan for the subject property is that a gradation of lot frontages will be maintained within the development, with 18 metre lots along the Fifty Road periphery, and 15 metre lots within the interior of the development.

Actual Changes:

1. That Schedule "A4", Secondary Plan - Urban Lakeshore Area be revised by annotating the subject lands as OPA 107 as shown on the attached Schedule "1" of this Amendment.

2. That Schedule "A" General Land Use Plan be revised by annotating the subject lands as OPA 107 as shown on the attached Schedule "2" of this Amendment.

2. That Policy 13.4.9 as amended be further amended by adding a second paragraph as follows:

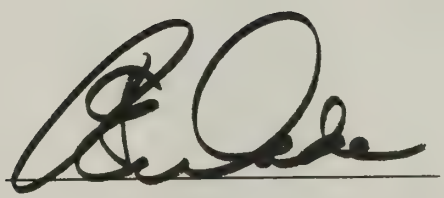
"In Part of Lot 3, Broken Front Concession (Stoney Creek), as identified on Schedule "A4" of this Plan, notwithstanding its location 500 metres beyond Baseline Road, a minimum lot frontage of 15 metres shall be permitted. The minimum lot area on these lands shall be established by the implementing Zoning By-law."

Implementation:

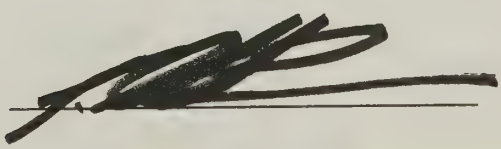
A Zoning By-law Amendment will give effect to this Amendment.

This is Schedule "A" to By-law No. 03-337, passed on the 29th day of October, 2003.

City of Hamilton



Mayor



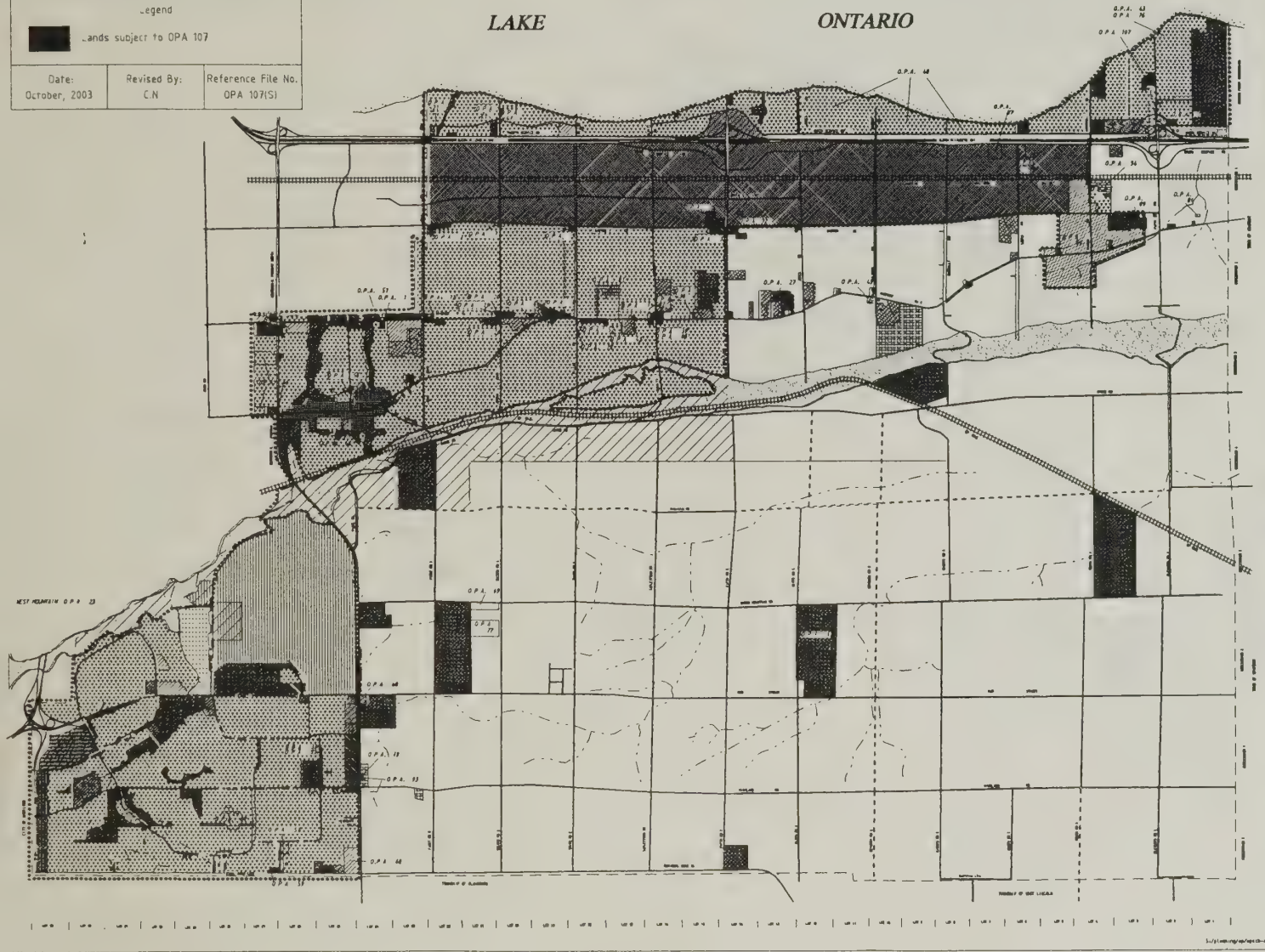
City Clerk

Schedule 2
Amendment No. 107
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands subject to OPA 107

Date:	Revised By:	Reference File No.
October, 2003	C.N	OPA 107(S)



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

Legend

Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Medium Density Residential
- Special Policy Area 'A'
- Special Policy Area 'B'
- Special Policy Area 'C' (West Mountain Core Area)
- Municipal Boundary
- Business Improvement Area (B.I.A.)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A. Official Plan Amendment
- Sub-Regional Centre

CITY OF STONEY CREEK
PLANNING DEPARTMENT

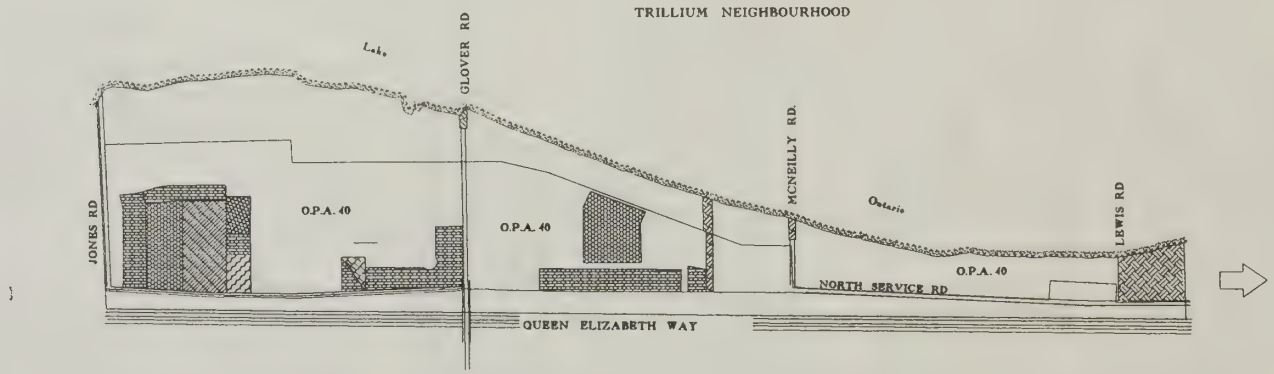
October 2002

CITY OF STONEY CREEK
OFFICIAL PLAN

Schedule "A4"

Secondary Plan

Urban Lakeshore Area

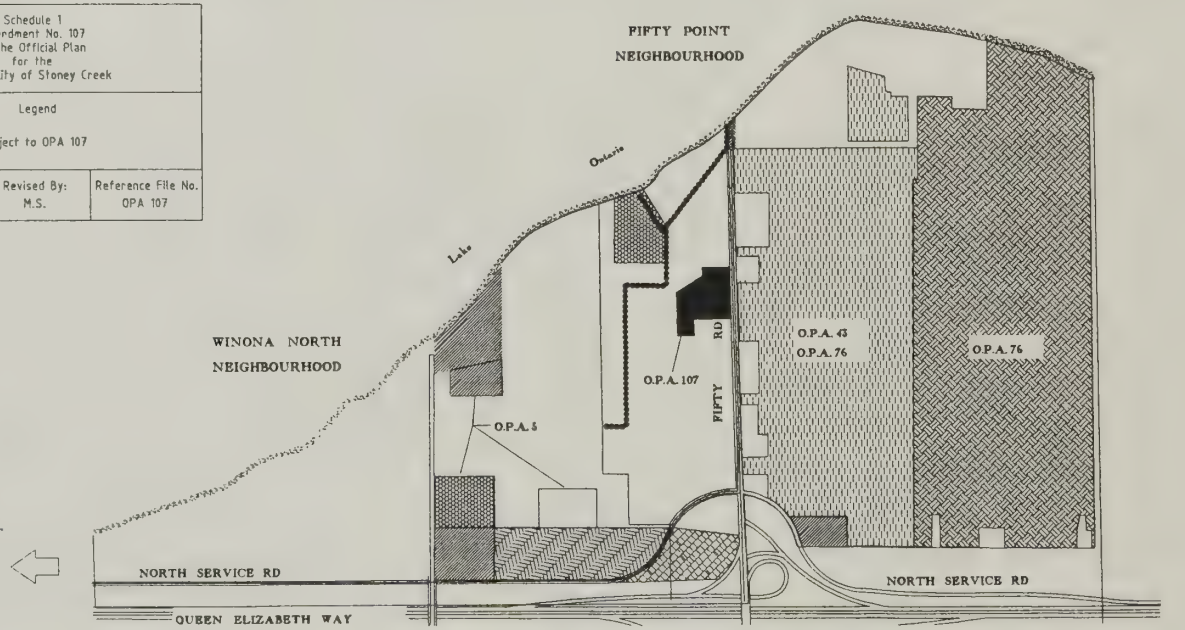


Schedule 1
Amendment No. 107
to the Official Plan
for the
former City of Stoney Creek

Legend

Lands Subject to OPA 107

Date:	Revised By:	Reference File No.
October, 2003	M.S.	OPA 107



Legend

Land Use Designations

- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- Institutional
- Elementary School
- Off Street Bikeway & Walkway
- On Street Bikeway
- Municipal Boundary
- District Boundary
- Collector Road
- Open Space-Special Park
- Neighbourhood Park
- Local Commercial
- General Commercial
- Highway Commercial
- Special Policy Area "B"

CITY OF STONEY CREEK
PLANNING DEPARTMENT

Scale: 1:5000

Updated January 17th, 2000

CA4 HBL A08
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Authority: Item 3, Hearings Sub-Committee
Report 03-034 (PD03275)
CM: October 29, 2003

Bill No. 338

CITY OF HAMILTON

BY-LAW NO. 03-338

**To Amend Zoning By-law No. 3692-92 (Stoney Creek)
Respecting Lands Located West of Fifty Road
Part of Lot 3, Broken Front Concession
In the Subdivision known as "Lake Vista East"**

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 4 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek), is amended as follows:

   (a) by changing the zoning from the site-specific Single Residential "R1-7" Zone to the Single Residential "R1" Zone, the lands comprised of Block 1;

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(b) by changing the zoning from the site-specific Single Residential "R1-7" Zone to the Single Residential "R2" Zone, the lands comprised of Block 2; and,

(c) by changing the zoning from the site-specific Single Residential "R1-8" Zone to the Single Residential "R2" Zone, the lands comprised of Block 3;

the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 6.2.7, "Special Exemptions" of Section 6.2, Single Residential "R1" Zone, of Zoning By-law No. 3692-92, be amended by deleting Special Exemption "R1-8" in its entirety.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK

This is Schedule "A" to By-Law No. 03— 338

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 338
to Amend By–Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
Lake Vista East
Part of Lot 3, Broken Front Concession

BLOCK 1- Rezoning from the site-specific Single Residential "R1-7" Zone to the Single Residential "R1" Zone

BLOCK 2 - Rezoning from the site-specific Single Residential "R1-7" Zone to the Single Residential "R2" Zone

BLOCK 3 - Rezoning from the site-specific Single Residential "R1-8" Zone to the Single Residential "R2" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-37
	Date	Drawn By
	October 23, 2003	NB

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Authority: Item 1, Committee of the Whole
Report 02-035 PD01011(a)
CM: October 29, 2003

Bill No. 339

CITY OF HAMILTON

BY-LAW NO. 03-339

To Amend By-law No. 01-003

Respecting the Appointments of the Chief Building Official,

Deputies and Inspectors

WHEREAS Council deems it necessary to provide for the appointment of Deputy Chief Building Officials to assist in carrying out the duties of the Chief Building Official;

AND WHEREAS the appointment of additional deputies will also allow the effective and timely issuance of orders to uncover and orders to stop or cease work across the geographic area of the City of Hamilton;

AND WHEREAS the list appointments of inspectors under the By-law No. 01-003 needs to be changed to delete and add inspectors names;

AND WHEREAS section 3 of the Building Code Act, S.O. 1992, c. 23, provides for the appointment of a Chief Building Official and inspectors, and subsection 28(o) of the Interpretation Act, R.S.O. 1990, c. I.11, provides for the appointment of deputies.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 1 of City of Hamilton By-law No. 01-003 as may be amended, appointing Peter C. Lampman, P. Eng., Director of Building and Licensing as the Chief Building Official for the City of Hamilton, is hereby amended to add the following subsection as subsection (c):

   "(c) The Chief Building Official has all the power and duties of such office assigned by statute and under by-laws of the City of Hamilton, including any by-law of the former area municipalities comprising the City that are still in force and effect."

2. Section 2 of City of Hamilton By-law No. 01-003 as amended, is repealed and replaced with the following:

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2. Section 2 of City of Hamilton By-law No. 01-003 as amended, is repealed and replaced with the following:

"2. (a) Thomas J. Redmond, P. Eng., is hereby appointed a Deputy Chief Building Official and an Inspector for the City of Hamilton, with the title "Manager of Engineering and Zoning".

(b) When the Chief Building Official is absent, the Deputy in subsection (a) above may perform and has all the powers and duties of the Chief Building Official.

(c) For the purpose of this section, "absent" includes when the Chief Building Official is ill or unavailable for any reason, or when the office is vacant."

1. Section 3 of City of Hamilton By-law No. 01-003 as amended, is repealed and replaced with the following:

"3. (a) For the purposes of subsection (b) below, the following persons are hereby appointed Deputy Chief Building Officials for the City of Hamilton:

Marianne Brown, Manager, Building Construction;

John W. Lane, Manager, Building Construction; and

John Spolnik, Manager, Building Construction.

(b) The Deputies appointed in subsection (a) above may, in place of the Chief Building Official, issue orders to uncover and orders to stop or cease construction or demolition under the Building Code Act, S.O. 1992, c. 23, and shall have all the powers and duties of the office necessary to carry out such powers and duties.

(c) For the purpose of this section and enforcement the Chief Building Official may assign or re-assign the deputies appointed by this section, to a particular area or areas of the City of Hamilton, but in any event the Chief Building Official and the deputies may issue the orders provided for in subsection (b) above in any area of the City.

(d) The persons listed in subsection (a) above are also appointed as Inspectors under the Building Code Act, S.O. 1992, c. 23 for the City of Hamilton."

2. Section 4 of City of Hamilton By-law No. 01-003 as amended, is hereby further amended, by:

(a) deleting the names of the following persons:

Doug Clark	Jeff Kruger
Gerald Bethlehem	Dana Turnbull
Andre Gravelle	Robert Milligan
Peter Vanderbeek	Jack Tosta
Steve Warner	Bill Olmstead
Henry Dekker	Rae Greenwood;

and

(b) adding the following names, as Inspectors for the City of Hamilton:

Micheal Loucks	Robert Stumpo
Robert Lalli	Jorge Caetano
Alfonso Principato	Nick Anastasopoulos

5. In all other respects, City of Hamilton By-law No. 01-003 as amended is hereby confirmed without change.

6. This By-law comes into force and effect on the date of its enactment.

PASSED and ENACTED this 29 day of October, 2003.

MAYOR

CLERK

CA4 HBL A08
B91

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: October 29, 2003

Bill No. 340

CITY OF HAMILTON

BY-LAW NO. 03-340

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"King	South	from 27.5m east of Catharine	30 min	Anytime	Anyday"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"King	South	90 ft. east of Catharine to 70 ft. easterly	Anytime	
King William	North	32 feet west of Hughson to 30 feet westerly	8:00 a.m. to 6:00 p.m. Monday to Saturday	
Northgate	West	commencing at the southerly end and extending to a point 45 feet northerly therefrom	Anytime"	

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and by adding to Section "E" thereof the following items, namely:

"King William	North	from 9.5m west of Hughson to 25.4m westerly	7:00 a.m. to 7:00 p.m." Monday to Saturday

3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"Biggar	North	537 feet west of Lottridge to 20 feet westerly	Anytime
Cope	West	commencing 174 feet south of CNR railway line and extending 24 feet southerly therefrom	Anytime
Fullerton	West	commencing at a point 133 feet south of Princess to a point 20 feet southerly therefrom	Anytime"

and by adding to Section "E" thereof the following item, namely:

"Baker	North	from 30m west of Breadlbane to 5.7m westerly	Anytime"

4. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Fairfield	West	24 feet	42 feet south of Vansitmart	9:00 am - 5:00 pm"

5. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"King William	North	60 ft.	78 ft. east of James	8:00 am to 4:00 pm" Mon to Fri

6. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Apple Blossom	West	from 100m north of Chester to 40m northerly	7:00 a.m. to 6:00 p.m." Monday to Friday

7. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CITY CLERK

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B91

Authority: Item 13, Hearings Sub-Committee
Report: 03-034 (PD03227)
CM: October 29, 2003

Bill No. 341

CITY OF HAMILTON

BY-LAW NO. 03-341

To Adopt:

Official Plan Amendment No. 192 to the former City of Hamilton Official Plan;

Respecting:

4 Westbourne Road

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 192 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October, 2003

MAYOR

CITY CLERK

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Schedule "1"

Amendment No. 192

to the

Official Plan for the former City of Hamilton

The following text, together with Schedule "A" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 192.

Purpose:

The purpose of this Amendment is to establish a special policy area to permit an administrative office for a medical practice within an existing adjacent building.

Location:

The lands affected by this Amendment are known municipally as 4 Westbourne Road in the Ainslie Wood North Neighbourhood.

Basis:

The basis for permitting the proposed designation change is as follows:

- The subject property is compatible with the adjacent use to the south (a medical practitioners office).
- The proposed use is in close proximity to an arterial road.
- The proposed use will be contained within the existing structure, therefore the residential character of the area will be maintained.

Actual Changes:

1) Schedule "B" – Special Policy Areas – be revised by adding the subject lands as Special Policy Area 90, as shown on the attached Schedule "A" of this Amendment.

2) The following new policy be added to Subsection A.2.9.3 – Other Policy Areas as policy A.2.9.3.85:

"In addition to the permitted uses set out in Subsection A.2.1 – Residential Uses, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 90, and located at 4 Westbourne Road, an administrative office for the adjacent medical practitioner's office at 1612 Main Street West will be permitted within the existing building."

Implementation:

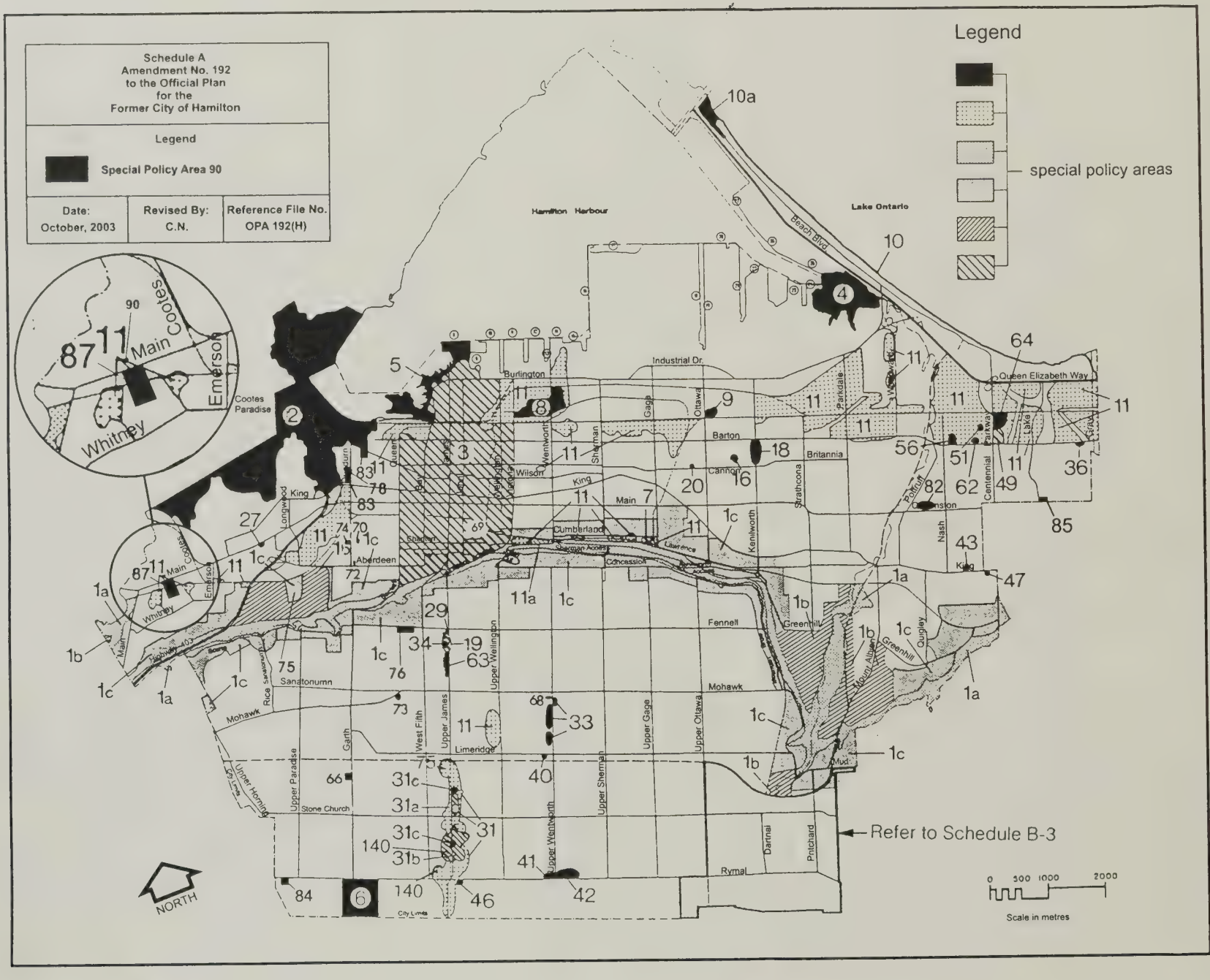
A Zoning By-Law amendment and site plan will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 03-341, passed on the 29th day of October, 2003.

The City of Hamilton

Mayor

City Clerk



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A.2.9.1	56	A.2.9.3.51
1(b)	A.2.9.1	62	A.2.9.3.57
1(c)	A.2.9.1	63	A.2.9.3.58
2	A.2.9.2	64	A.2.9.3.59
3	A.2.9.3	65	A.2.9.3.60
	A.2.9.3.1	66	A.2.9.3.61
4	A.2.9.3.2	67	"Deleted"
5	A.2.9.3.3	68	A.2.9.3.63
6	A.2.9.3.4	69	A.2.9.3.64
7	A.2.9.3.5	70	A.2.9.3.65
8	A.2.9.3.6	71	A.2.9.3.66
9	A.2.9.3.7	72	A.2.9.3.67
10	A.2.9.3.8	73	A.2.9.3.68
10a	A.2.9.3.8	74	A.2.9.3.69
11	A.2.9.3.9	75	A.2.9.3.70
11(a)	A.2.9.3.9	76	A.2.9.3.71
16	A.2.9.3.14	77	A.2.9.3.72
17	"Deleted"	78	A.2.9.3.73
18	A.2.9.3.16	79	"Deleted"
19	A.2.9.3.17	80	Denied by OMB
20	A.2.9.3.18	81	A.2.9.3.76
26	A.2.9.3.21	82	A.2.9.3.77
27	A.2.9.3.22	83	A2.9.3.78
29	A.2.9.3.24	84	Pending
30	A.2.9.3.25	85	A.2.9.3.80
31	A.2.9.3.26	86	A.2.9.3.81
31(a)	A.2.9.3.26	87	A.2.9.3.82
31(b)	A.2.9.3.26	_	A.2.9.3._
31(c)	A.2.9.3.26		
32	A.2.9.3.27		
33	A.2.9.3.28		
34	A.2.9.3.29		
35	A.2.9.3.30		
36	A.2.9.3.31		
37	A.2.9.3.32		
38	"Deleted"		
40	A.2.9.3.35		
41	A.2.9.3.36		
42	A.2.9.3.37		
43	A.2.9.3.38		
45	A.2.9.3.40		
46	A.2.9.3.41		
47	A.2.9.3.42		
48	"Deleted"		
49	A.2.9.3.44		
50	A.2.9.3.45		
51	A.2.9.3.46		
53	"Deleted"		
54	"Deleted"		
55	A.2.9.3.50		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B

to the official plan
for
the City of Hamilton

October 2002

CA4 HBL A08
B91

Authority: Item 13, Hearings Sub-Committee
Report: 03-034 (PD03227)
CM: October 29, 2003

Bill No. 342

CITY OF HAMILTON

BY-LAW NO. 03-342

**To Amend Zoning By-law No. 6593
Respecting Lands Located at 4 Westbourne Road**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 13 of Report 03-034 of the Hearing Sub Committee at its meeting held on the 29th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 192 proposed by the Corporation of the City of Hamilton as By-law No. 03-342, but not yet approved in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-46 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

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(a) by changing from "C" (Urban Protected Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, Modified;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:

(a) That in addition to the requirements of Section 9 (1) of Zoning By-law No. 6593, a business and professional office, to be wholly used for administrative purposes only, and that no part of the building shall be used for waiting rooms or the treatment of any patients, shall be permitted within the existing building;

(b) That notwithstanding Section 18A (4) (iv) of Zoning By-law No. 6593, the existing accessory building shall be located a distance of no less than 0.2m from the northerly property line and 0.3m from the easterly property line; and,

(c) That notwithstanding Section 18A (26) of Zoning By-law No. 6593, the existing access driveway providing access to or egress from or both access to or egress from the non-residential use shall be located 0.0m from the common boundary with the residential district.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1492.

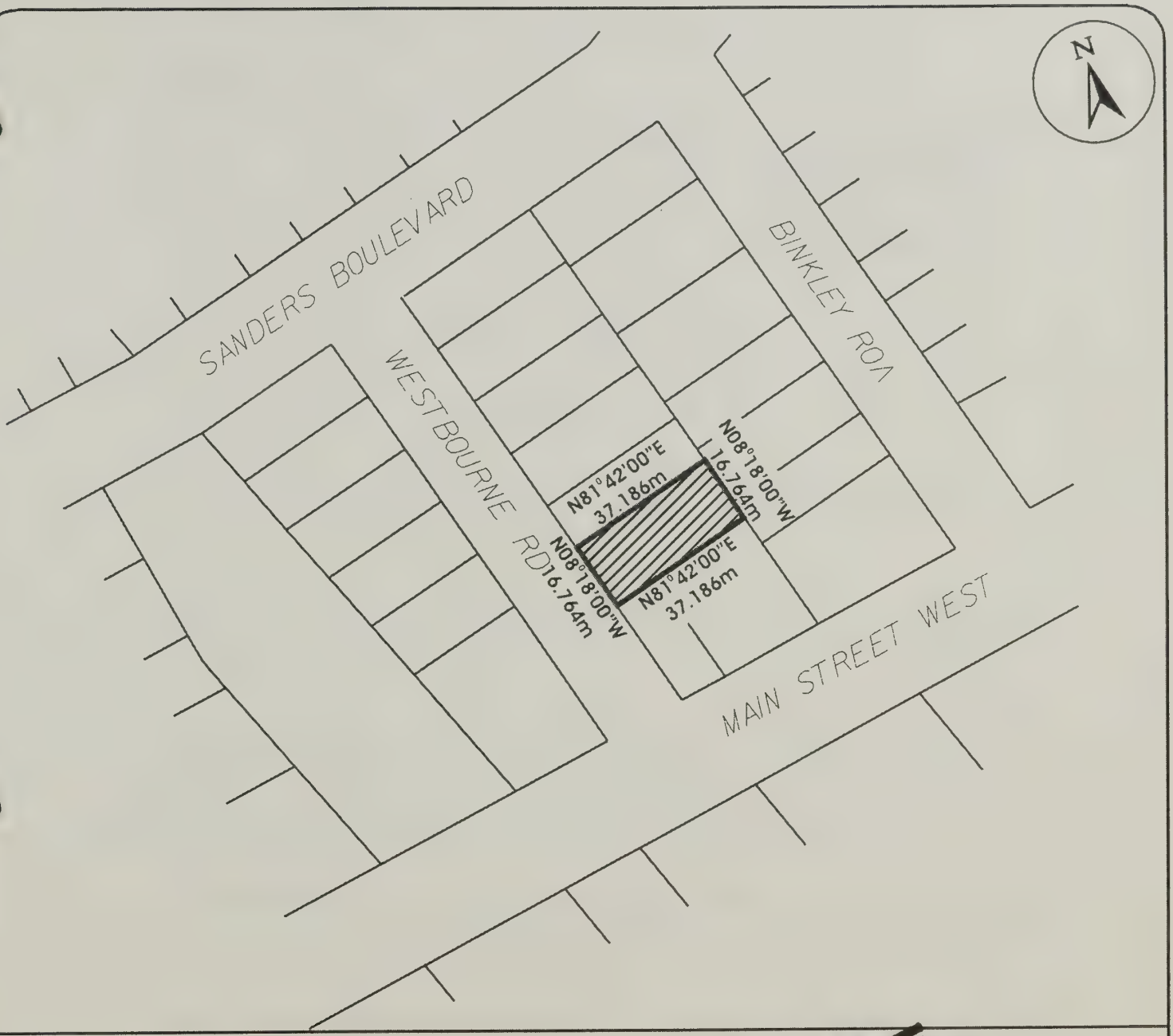
5. Sheet No. W-46 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1492.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 342

Passed the 29th day of October ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 342
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Legend

Subject Property
4 Westbourne Road

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-02-05
	Date	Drawn By
	October 02, 2003	NB

CA4 HBL A08
B91

Authority: Item 18, Hearings Sub-Committee
Report 03-034 (PD03245)
CM: October 29, 2003

Bill No. 343

CITY OF HAMILTON

BY-LAW NO. 03-343

To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended Respecting 992 Highway No. 6 North,

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Section of Report of the Hearing Sub-Committee at its meeting held on the day of , 2003, recommended that Zoning By-law No. 90-145-Z (Flamborough), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule No. "A-5" attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended by changing the

CA4 HBL A08
B91

zoning of the lands located at 992 Highway No. 6 North from Agriculture "A" Zone to Site Specific Commercial Agriculture "CA-5" Zone, for those lands being Part of Lots 12 & 13, Concession 6, former geographic township of East Flamborough and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.

2. Section 34.3 – Commercial Agriculture 'CA' Zone is hereby amended by adding the following subsection:

34.3 EXCEPTION NUMBERS

34.3.4 'CA-5' (See Schedule A-5)

Permitted Uses:

(a) Any use permitted in an Agricultural "A" Zone,

(b) An agriculture packaging establishment for the packaging, treating and storing of produce grown on or off the premises, except the processing of produce shall be prohibited.

Zone Provisions

(a) Subsection 34.2 shall apply.

3. That the amending By-law be added to Schedule "A-5" of Zoning By-law No. 90-145-Z (Flamborough).

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK

This is Schedule "A" to By-Law No. 03—343

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-343
to Amend By–Law No. 90-145-Z

Hamilton

Planning and Development Department

Legend

Subject Property
992 No. 6 Highway

Change in zoning from Agricultural "A" Zone to Commercial Agriculture "CA-5" Zone

North	Scale	Reference File No
	NOT TO SCALE	ZAC--03-64
	Date	Drawn By
	August 6, 2003	MC

CA4 HBL A08
B91

Authority: Item 14, Committee of the Whole
Report 03-029 (PD03261)
CM: October 29, 2003

Bill No. 344

CITY OF HAMILTON

BY-LAW NO. 03-344

**To Amend By-law No. 01-216
and By-law No. 01-220**

WHEREAS Section 11(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, confers upon the Council of a single tier municipality the authority to pass by-laws respecting parking;

AND WHEREAS Section 425(2) of the Municipal Act, 2001, as amended, requires that a by-law passed for establishing a system of disabled parking shall provide that every person who contravenes the by-law is guilty of an offence and on conviction is liable to a fine of not less than $300;

AND WHEREAS the Council of the City of Hamilton did, on the 18th day of September, 2001, pass and enact By-law No. 01-216, being a by-law to regulate municipal parking facilities, and By-law No. 01-220, being a by-law to regulate parking on private and municipal properties, each including regulations respecting disabled parking;

AND WHEREAS it is deemed necessary and expedient to amend By-laws No. 01-216 and No. 01-220, in accordance with Section 425(2) of the Municipal Act, 2001;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 18 of City of Hamilton By-law No. 01-216 is hereby deleted therefrom, in its entirety, and the following Section is substituted in its place:

"18. (1) The owner of a vehicle that is parked, stopped or left standing in contravention of this By-law is guilty of an offence and, upon conviction, is liable to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33 unless, at the time of the offence, the vehicle was in the possession of another person without the owner's consent.

(2) Any person who contravenes any provision of this By-law is guilty of an offence and is liable to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.

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(3) Notwithstanding the provisions of subsections (1) and (2) above, every person, either an owner or other person, who contravenes the provisions of Section 9(6) of this by-law is guilty of an offence and, on conviction, is liable to a fine of not less than $300."

2. Section 10 of City of Hamilton By-law No. 01-220 is hereby deleted therefrom, in its entirety, and the following Section is substituted in its place:

"10. (1) The owner of a vehicle that is parked, stopped or left standing in contravention of this by-law is guilty of an offence and is subject to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.

(2) Every person who contravenes any provision of this by-law is guilty of an offence and is subject to such penalty as is provided for under Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33.

(3) Notwithstanding the provisions of subsections (1) and (2) above, every person, either an owner or other person, who contravenes the provisions of Sections 2(2) and 3(2) of this by-law is guilty of an offence and, on conviction, is liable to a fine of not less than $300."

3. This by-law shall come into force and effect on the 1st day of February 2004.

PASSED AND ENACTED on the 29th day of October, 2003

Mayor

City Clerk

CA4 HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report 03-035 (PD03257)
CM: October 29, 2003

Bill No. 345

CITY OF HAMILTON

BY-LAW NO. 03-345

**To Amend Zoning By-law No. 6593
Respecting Lands Located at
174-182 Mountain Park Ave. and 10 Summit Ave.**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 2 of Report 03-035 of the Hearings Sub Committee at its meeting held on the 29th day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

(1) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593 (City of Hamilton), applicable to the subject lands, are amended as set out below such that the lands might be developed by way of the option contained in Section (2). The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions will also

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191

continue to be applicable to the lands notwithstanding the option contained in Section (2).

(2) **Option 1**

That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593 (City of Hamilton), applicable to the subject lands be modified to include the following special requirements for a 20 unit, 12 storey multiple dwelling:

(i) That notwithstanding Subsection 2.(2)J.(xiii) of Zoning By-law No. 6593, "Lot-Line Front" shall mean the boundary line along Mountain Park Avenue;

(ii) That notwithstanding Subsections 11.(1).(i) – 11.(1)(iib) inclusive, and Subsections 11.(1).(iiia) – 11.(1)(xii) inclusive, only a 20 unit multiple dwelling shall be permitted;

(iii) That notwithstanding Subsection 11.(2) of Zoning By-law No. 6593, a multiple dwelling shall be 12 storeys and not more that 38m in height;

(iv) That notwithstanding Subsection 11.(3) of Zoning By-law No. 6593, there shall be provided and maintained within the district, for every building and structure in an "E" District, the following yards, namely:

(aa) a front yard of a depth of at least 5.0m shall be provided and maintained;
(bb) a side yard of a width of at least 6.0m shall be provided and maintained; and,
(cc) a rear yard of a depth of at least 12.0m shall be provided and maintained.

(v) That notwithstanding Subsection 11.(5) of Zoning By-law No. 6593, a gross floor area of not more than 5,110 sq.m. shall be permitted;

(vi) That in addition to the requirements of Subsection 11 of Zoning By-law No. 6593, a minimum floor area of 200 square metres (2,150 sq.ft.) for each dwelling unit shall be provided and maintained;

(vii) That notwithstanding Subsection 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 40 parking spaces shall be provided and maintained;

2. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1494.

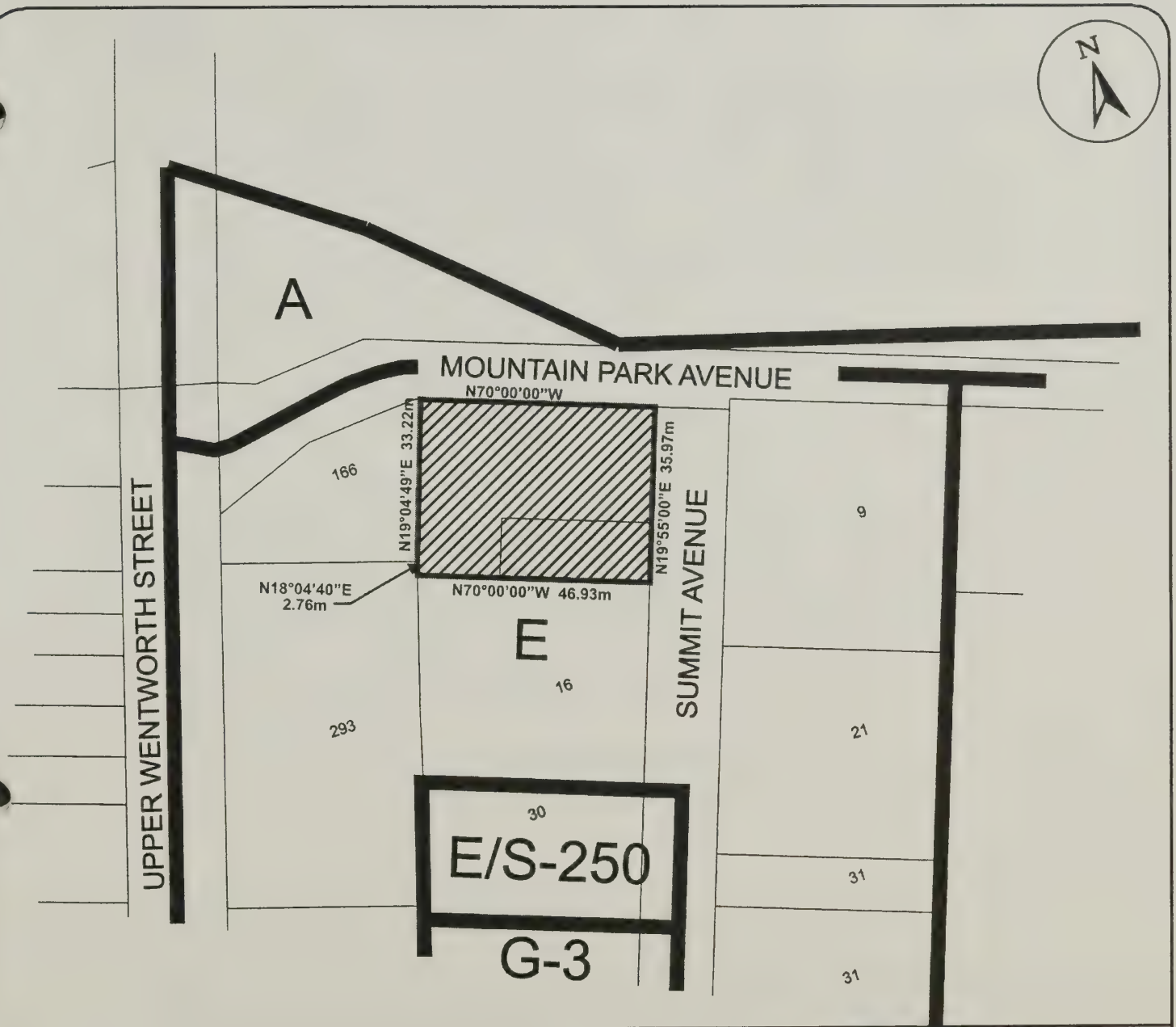
3. Sheet No. E-24 of the District Maps are amended by marking the subject lands referred to in section 1 as S-1494.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 29th day of October, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03—345

Passed the 29th day of October, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-345
to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Legend

Subject Property
Part of Lots 130, 131 & 132
Registered Plan No. 388

North	Scale	Reference File No.
	NOT TO SCALE	
	Date	Drawn By
	October 24, 2003	*LC*

CA4 HBL A08
B91

Authority: Item 2, Hearings Sub-Committee
Report: 03-023 (PD02100(b)
CM: June 25, 2003

Bill No. 346

CITY OF HAMILTON

BY-LAW NO. 03-346

To Adopt:

Official Plan Amendment No. 14 to the Regional Municipality of Hamilton-Wentworth Official Plan; and,
Official Plan Amendment No. 99 to the City of Stoney Creek Official Plan.

Respecting:

Lower Stoney Creek
Urban Boundary Expansion

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 14 to the Official Plan of the Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

2. Amendment No. 99 to the Official Plan of the Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

3. It is hereby authorized and directed that such approval of the Official Plan Amendments referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 29th day of October, 2003.

MAYOR

CLERK

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Schedule "1"

Amendments

to the

The Former Regional Municipality of Hamilton-Wentworth Official Plan and the Official Plan of the Former City of Stoney Creek

The following text together with Map No. 1, Regional Development Pattern, and Map No. 2, Agricultural Lands & Niagara Escarpment Plan Area of the former Regional Municipality of Hamilton-Wentworth Official Plan, Schedule "A", General Land Use Plan, and Schedule "C", Staging of Development of Official Plan of the former City of Stoney Creek, attached hereto, constitutes:

1. Official Plan Amendment No. 14 to the former Regional Municipality of Hamilton-Wentworth Official Plan; and

2. Official Plan Amendment No. 99 to the Official Plan of the former City of Stoney Creek.

Purpose:

The purpose of the Amendment is to provide for an Urban Boundary Expansion, in the area of the former Lower Stoney Creek, which will be planned through the requirements to complete a Secondary Plan for the entire area.

Location:

The lands affected by the Amendment to the former Region of Hamilton-Wentworth Official Plan are located on lands bounded by:

1. West of Winona - Fruitland Road (actual Fruitland Road By-pass), Highway No. 8, western limits of Winona and Barton Street; and,
2. East of Winona - the eastern limits of Winona, Highway No. 8, railway (west of Fifty Road), South Service Road (east of Fifty Road) and the City limits.

The lands affected by the Amendment to the former City of Stoney Creek Official Plan are located on lands bounded by:

1. West of Winona - Fruitland Road, Highway No. 8, western limits of Winona and Barton Street; and,
2. East of Winona - the eastern limits of Winona, Highway No. 8, South Service and the City limits.

Basis:

The intent of the Amendment is to expand the Urban Boundary to accommodate the population projections of the City of Hamilton. The basis for permitting the proposal is as follows:

- Supports Smart Growth objectives as the lands are fully serviced and currently not being optimized.

- Has regard to the Provincial Policy Statement as no other reasonable alternatives are available that avoid Prime Agricultural lands. Further, the study area is fully serviced but not being utilized efficiently.

- The re-designation of the subject lands to Urban maintains the City of Hamilton strategic commitment through the Mission, Vision, Values and Goals and maintains the directions of Vision 2020. By considering the appropriate locations for Urban Boundary expansion, optimizing the use of existing services and understanding the net financial benefit to the City, the study area is an appropriate location for the City to direct growth.

- Complies with the former Region of Hamilton-Wentworth Official Plan policies, including the re-designation of agricultural lands and a positive net fiscal benefit to the City of Hamilton.

- Through the implementation of Secondary Planning through an Amendment to the former City of Stoney Creek Official Plan, the proposed expansion area can implement the policies of Urban growth within study area.

Actual Changes:

1. **That the former Regional Municipality of Hamilton-Wentworth Official Plan be amended as follows:**

1.1 That Map No. 1, Regional Development Pattern, of the Official Plan be revised by re-designating the subject lands from "Rural Area" to "Urban", as shown on the attached Map No. 1 of this Amendment.

1.2 That Map No. 2, Agricultural Lands & Niagara Escarpment Plan Area, of the Official be revised by deleting the subject lands from the "Prime Agricultural Lands" and "Speciality Crops Area" designations, as shown on the attached Map No. 2 of this Amendment.

2. That the Official Plan of the former City of Stoney Creek be amended as follows:

2.1 That Schedule "A", General Land Use Plan of the Stoney Creek Official Plan be amended by:

a) adding to the "Urban Policy Area" the lands described as

- West of Winona - Fruitland Road (actual Fruitland Road By-pass), Highway No. 8, western limits of Winona and Barton Street; and,
- East of Winona - the eastern limits of Winona, Highway No. 8, South Service Road and the City limits.

b) designating the subject lands as "Special Policy Area F".

- West of Winona - Fruitland Road, Highway No. 8, western limits of Winona and Barton Street; and,
- East of Winona - the eastern limits of Winona, Highway No. 8, South Service and the City limits.

2.2 That Schedule "C", Staging of Development of the Stoney Creek Official Plan be amended by re-designating the subject lands to "Stage One", as shown on the attached Schedule "C" of this Amendment.

2.3 That Section A.12 – Special Policy Areas be amended by adding the following new policy as A.12.6:

"**SPECIAL POLICY AREA "F"**

Special Policy Area "F", as identified on Schedule "A", is intended to provide for comprehensive planning for the entire Special Policy Area on the following basis:

a) No development shall proceed within Special Policy Area "F" until Secondary Planning has been completed for the entire Special Policy Area; and,

b) Secondary Planning process, Phasing of Development may be required should the timing of development not coincide with infrastructure improvements, such as sewer capacity, wastewater plant capacity and roads, watercourse improvements;

Implementation:

Section D, of the former Region of Hamilton-Wentworth Official Plan, and Section F, of the former City of Stoney Creek Official Plan, will give effect to this amendment.

This is Schedule 1 to By-law No. 03-346 passed on the 29th day of October, 2003.

The
City of Hamilton

Mayor

City Clerk

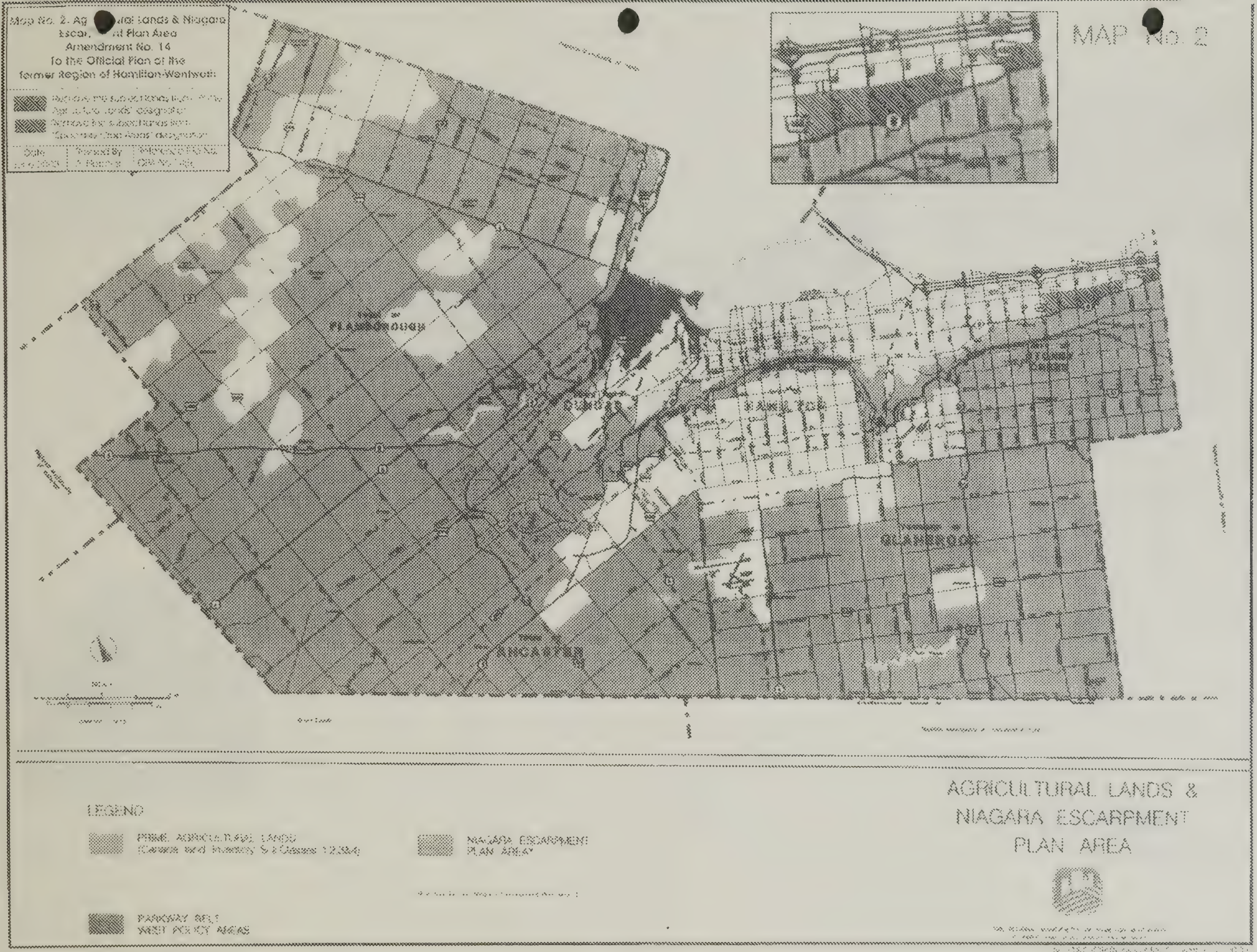
MAP No. 1

URBAN AREAS

RURAL AREAS

OTHER

REGIONAL DEVELOPMENT PATTERN

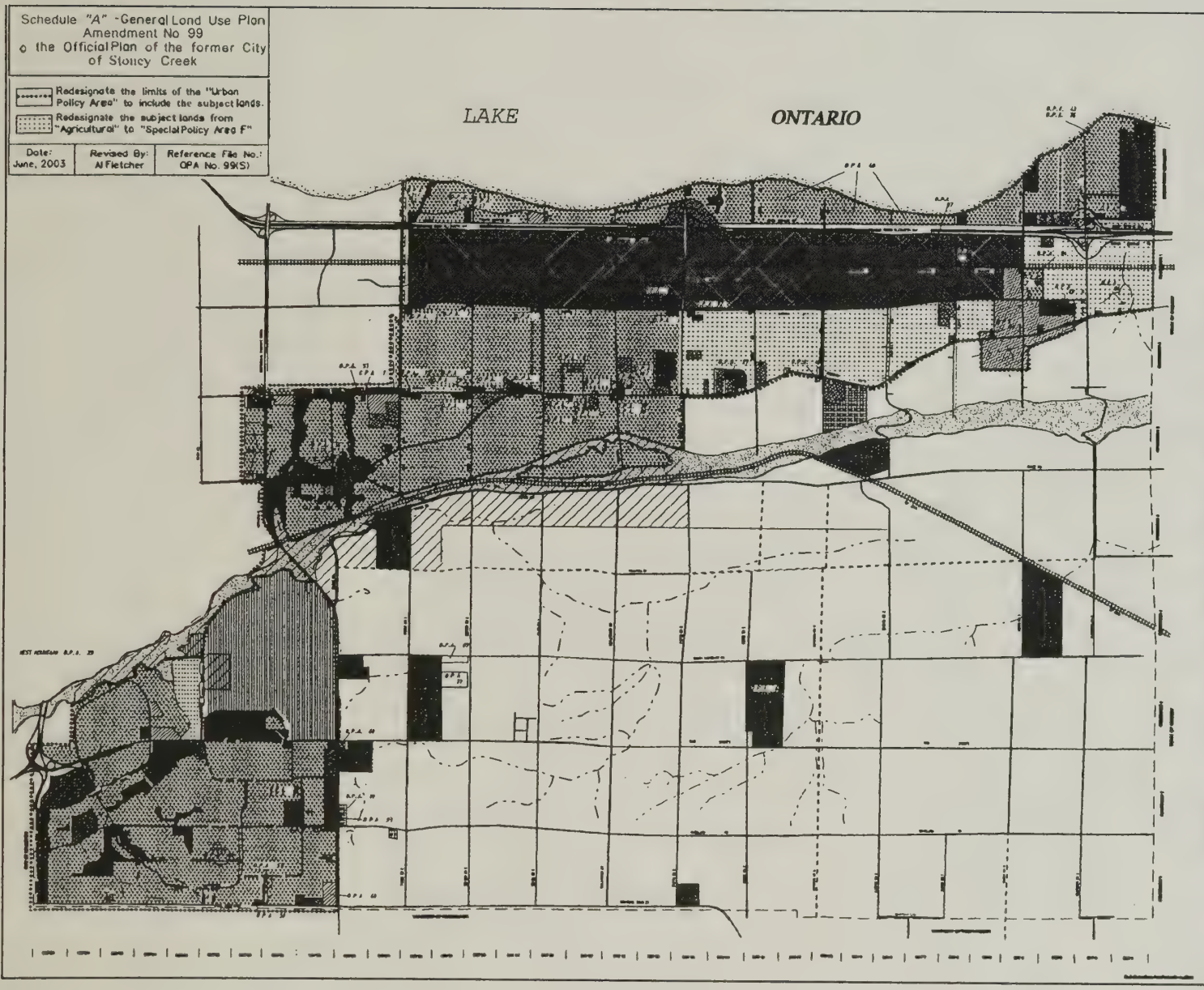

Map No. 2 Agricultural Lands & Niagara Escarpment Plan Area
Amendment No. 14
to the Official Plan of the former Region of Hamilton-Wentworth
MAP No. 2
FLAMBOROUGH
GLANBROOK
ANCASTER
AGRICULTURAL LANDS &
NIAGARA ESCARPMENT
PLAN AREA
LEGEND
NIAGARA ESCARPMENT PLAN AREA
PARKWAY BELT WEST PLAN AREAS

Schedule "A" - General Land Use Plan
Amendment No 99
to the Official Plan of the former City of Stoney Creek

Redesignate the limits of the "Urban Policy Area" to include the subject lands.

Redesignate the subject lands from "Agricultural" to "Special Policy Area F"

Date:	Revised By:	Reference File No.:
June, 2003	Al Fletcher	OPA No. 99(S)



CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"
General Land Use Plan

Legend

Land Use Designations

- Residential
- Central Area
- Shopping Centres
- General Commercial
- Highway Commercial
- Service Commercial
- Industrial - Business Park
- Institutional
- Winona Urban Community
- Open Space
- Escarpment Natural Area
- Agricultural
- Rural Industrial
- Rural Lakeshore
- Special Policy Area "A"
- Special Policy Area "B"
- Special Policy Area "C" (West Mountain Core Area)
- Special Policy Area "_"
- Municipal Boundary
- Business Improvement Area (B.I.A.)
- Provincial Highway
- Regional Road
- Municipal Road
- Railway
- Water Course
- Urban Policy Area
- O.P.A. Official Plan Amendment
- Sub-Regional Centre

CITY OF STONEY CREEK

October 2007

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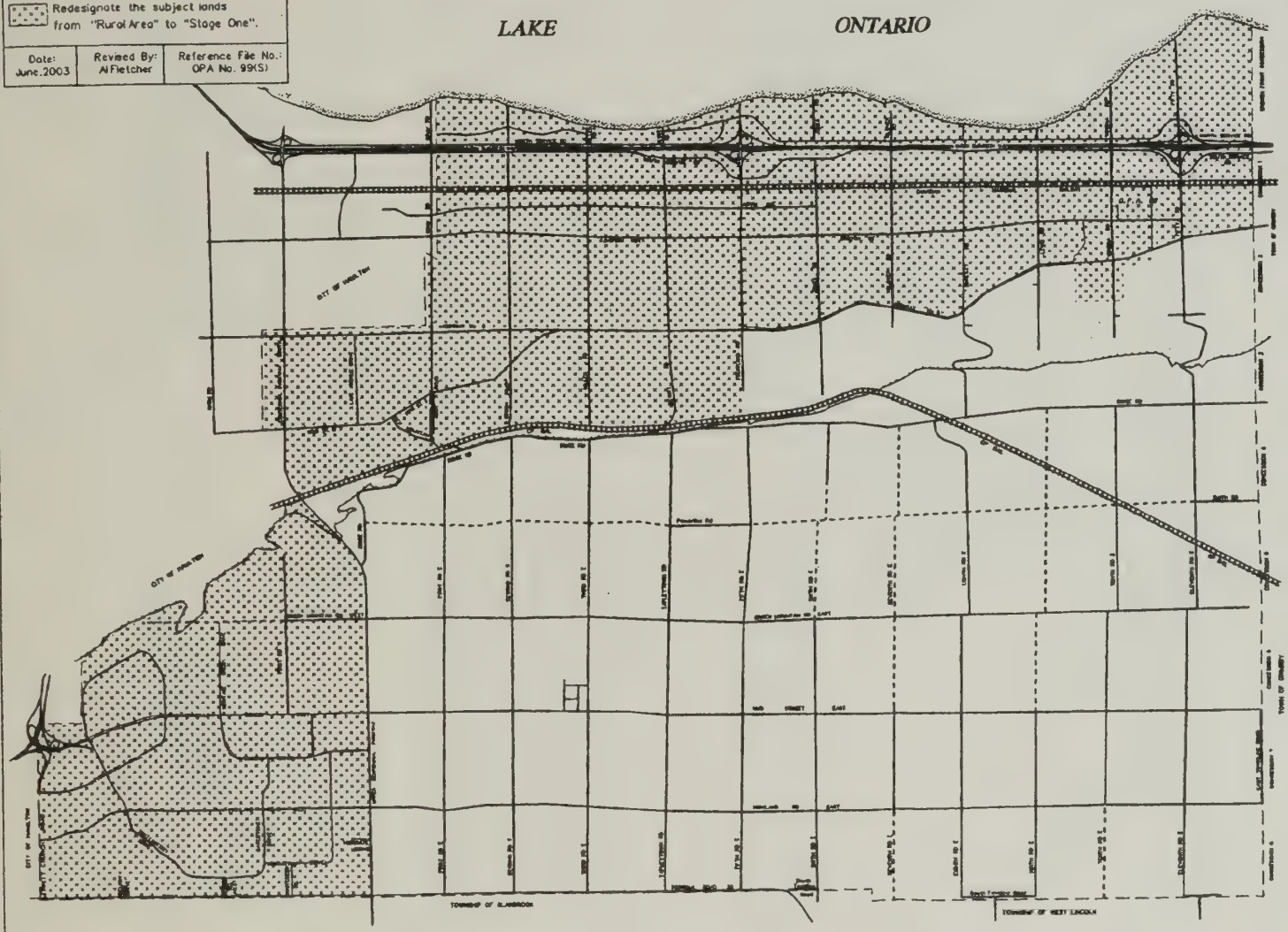
Schedule "C" - Staging of Development
Amendment No. 99
To the Official Plan of the former city of Stoney Creek

Redesignate the subject lands from "Rural Area" to "Stage One".

Date:	Revised By:	Reference File No.:
June.2003	Al Fletcher	OPA No. 99(S)



CITY OF STONEY CREEK OFFICIAL PLAN

SCHEDULE "C" STAGING OF DEVELOPMENT

Legend

- STAGE ONE
- RURAL AREA
- MUNICIPAL BOUNDARY

CITY OF STONEY CREEK

UPDATED DECEMBER 11TH, 2008

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Bill No. 347

THE CITY OF HAMILTON

BY-LAW NO. 03- 347

To Confirm the Proceedings of City Council at its meeting held on October 29, 2003

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 29th day of October, 2003 in respect of each recommendation contained in:

   Report 03-029 of the Committee of the Whole,
   Report 03-030 of the Committee of the Whole,
   Report 03-034 of the Hearings Sub-Committee,
   Report 03-035 of the Hearings Sub-Committee,
   Report 03-008 of the Grants Sub-Committee,
   Report 03-004 of the Licensing Sub-Committee

   considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 29th day of October, 2003

MAYOR

CITY CLERK

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Bill No. 348

THE CITY OF HAMILTON

BY-LAW NO. 03-348

To Confirm the Proceedings of City Council at its Inaugural meeting held on December 3, 2003.

THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 3rd day of December, and considered by Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the Council at it's said meetings, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 3rd day of December, 2003

MAYOR

CITY CLERK

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B91

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 349

City of Hamilton

BY-LAW No. 03-349

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN A PORTION OF
"MONTICELLO ESTATES", PLAN 62M-906

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part lot control on land within registered plans of subdivision;

AND WHEREAS the Corporation of the City of Stoney Creek passed By-law No. 5244-00 to exempt lands within the "Monticello Estates" subdivision, Plan 62M-906 from Part Lot Control;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 5244-00 expired on November 30, 2003;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to part lot control. --** Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law. --** A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval. --** An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law. --** A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

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(7.4) **Extension of time period. --** The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal. --** The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the City of Stoney Creek;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of fifteen (15) single detached dwellings, one (1) semi-detached dwelling and six (6) street townhouse units, shall not apply to the following designated land:

   Part of Lot 1 and Blocks 97 and 99, Registered Plan Number 62M-906, in the City of Hamilton (Stoney Creek).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

3. This By-law shall cease, expire and be of no further effect on December 31st, 2005.

PASSED and ENACTED this 10th day of December, A.D. 2003.

MAYOR

CLERK

CA4 HBL A08
B91

Authority: Item 4, Hearings Sub-Committee
Report 03-030 (PD03217)
CM: September 24, 2003

Bill No. 350

CITY OF HAMILTON

BY-LAW NO. 03-350

To Amend:

Zoning By-law No. 87-57 (Ancaster),

Respecting:

LANDS LOCATED AT 582 CARLUKE ROAD WEST
Owned by the St. Paul's Presbyterian Cemetery Board
(former Town of Ancaster)

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton in accordance with the provisions of the Planning Act.

Cop. Hist. Soc.
B41
I98

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map 2 to Schedule "A" (South Half) of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are known municipally as 582 Carluke Road West from the Agricultural "A" Zone to the Institutional "I-501" Exception Zone located within Part of Lot 37, Concession 7, (Former Town of Ancaster) more particularly shown on Schedule "A" which forms part of this By-law.

2. Section 34: Exceptions of Zoning By-law 87-57 (Ancaster), is hereby further amended by adding the following new subsection:

I-501 Permitted Uses

In accordance with the uses permitted in Section 30.1.

Regulations

That the provisions of Section 30.3 shall apply to development within the Institutional "I-501" Exception Zone except for the following special provisions:

(1) Minimum Front Yard	Notwithstanding Section 30.3(a), the minimum front yard setback for a monument shall be 10 metres.
(2) Minimum Side and Rear Yard	Notwithstanding Section 30.3(b), the minimum side and rear yard setbacks for a monument shall be 3 metres.
(3) Parking	Notwithstanding Section 7.14(b)(iv)(j), the existing parking provided on cemetery lands located within the Agricultural "A" Zone shall be utilized and no additional parking shall be required.

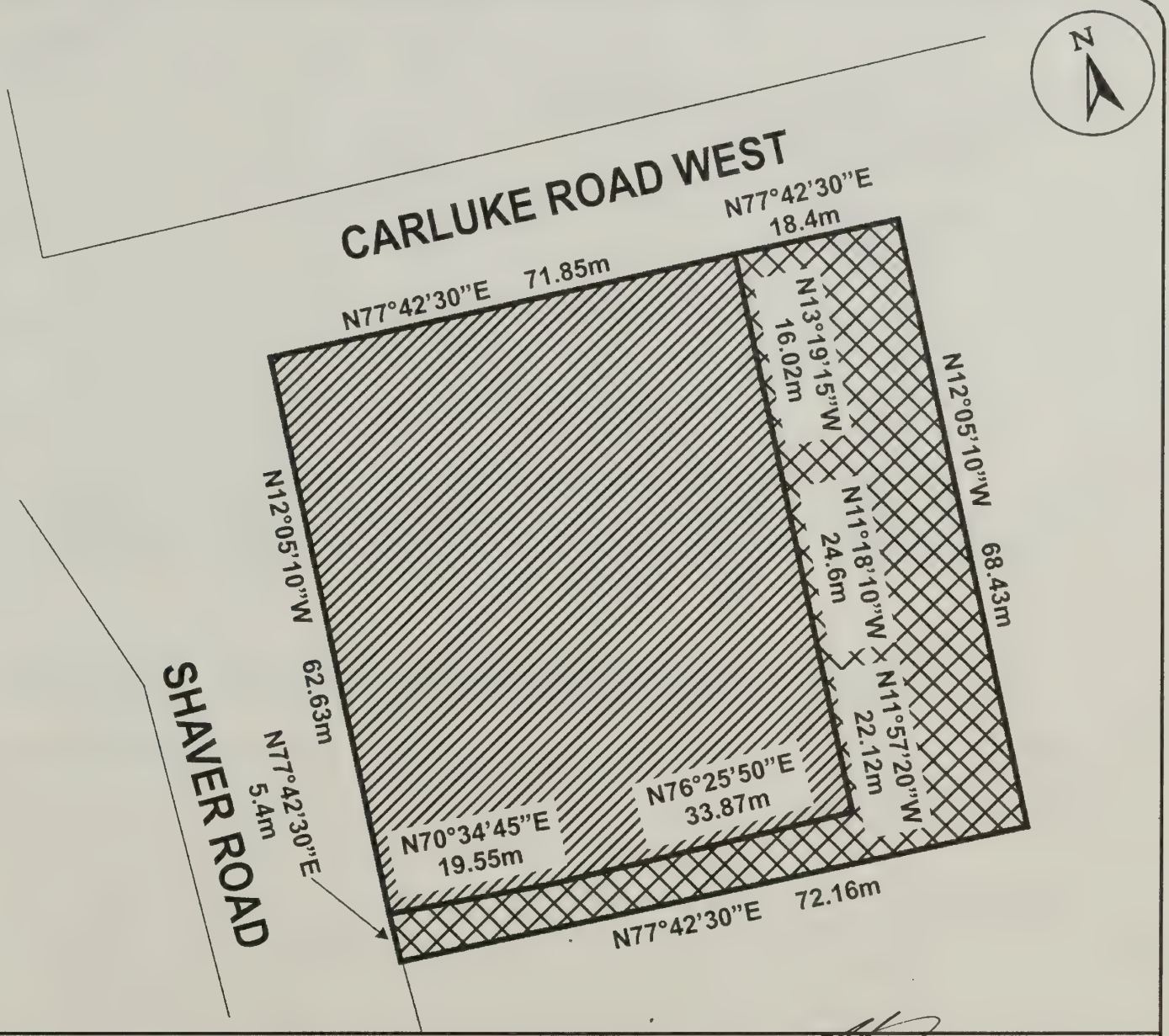
3. All other regulations of Section 7, General Provisions of Zoning By-law No. 87-57 (Ancaster) shall continue to apply.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of December, 2003 .

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 350

Passed the 10th day of December, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03-350
to Amend By--Law No. 87-57

Hamilton

Planning and Development Department

Legend

Block 1
Existing Cemetery, Lands to Remain in Agricultural 'A' Zone.

Block 2
Lands to be Modified to Institutional 'I-501' Zone to Permit Expansion of Cemetery.

North	Scale	Reference File No.
	NOT TO SCALE	*ZAC-03-44*
	Date	Drawn By
	November 24, 2003	*LC*

CA4 HBL A08
B91

Authority: Item 3, Hearings Sub-Committee
Report 03-030 (PD03222)
CM: September 25, 2003

Bill No. 351

CITY OF HAMILTON

BY-LAW NO. 03-351

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands Located on Seabreeze Crescent, Part of Lots 11 and 14 and all of Lots 12 and 13, Plan 635, and Part of Lot 10, Broken Front Concession, Former City of Stoney Creek

WHEREAS the City of Hamilton Act. 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, under Subsections 6.3, 6.3, 6.9 and 11.2 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the Neighbourhood Development "ND" Zone to the Single Residential "R2", Single Residential "R3", Multiple Residential "RM2" and Open Space "OS" Zones, the lands comprised of Part of Lots 11 and 14 and all of Lots 12 and 13, Plan 635 and Part of Lot

HOS JBH 4.90
1PB

10, Broken Front Concession (Stoney Creek), as shown on as Blocks 1 to 4 in a plan hereto annexed as Schedule "A" on the following basis:

(i) That Block 1 be rezoned from the Neighbourhood Development "ND" Zone to the Single Residential "R2" Zone;

(ii) That Block 2 be rezoned from the Neighbourhood Development "ND" Zone to the Single Residential "R3" Zone;

(iii) That Block 3 be rezoned from the Neighbourhood Development "ND" Zone to the Multiple Residential "RM2" Zone;

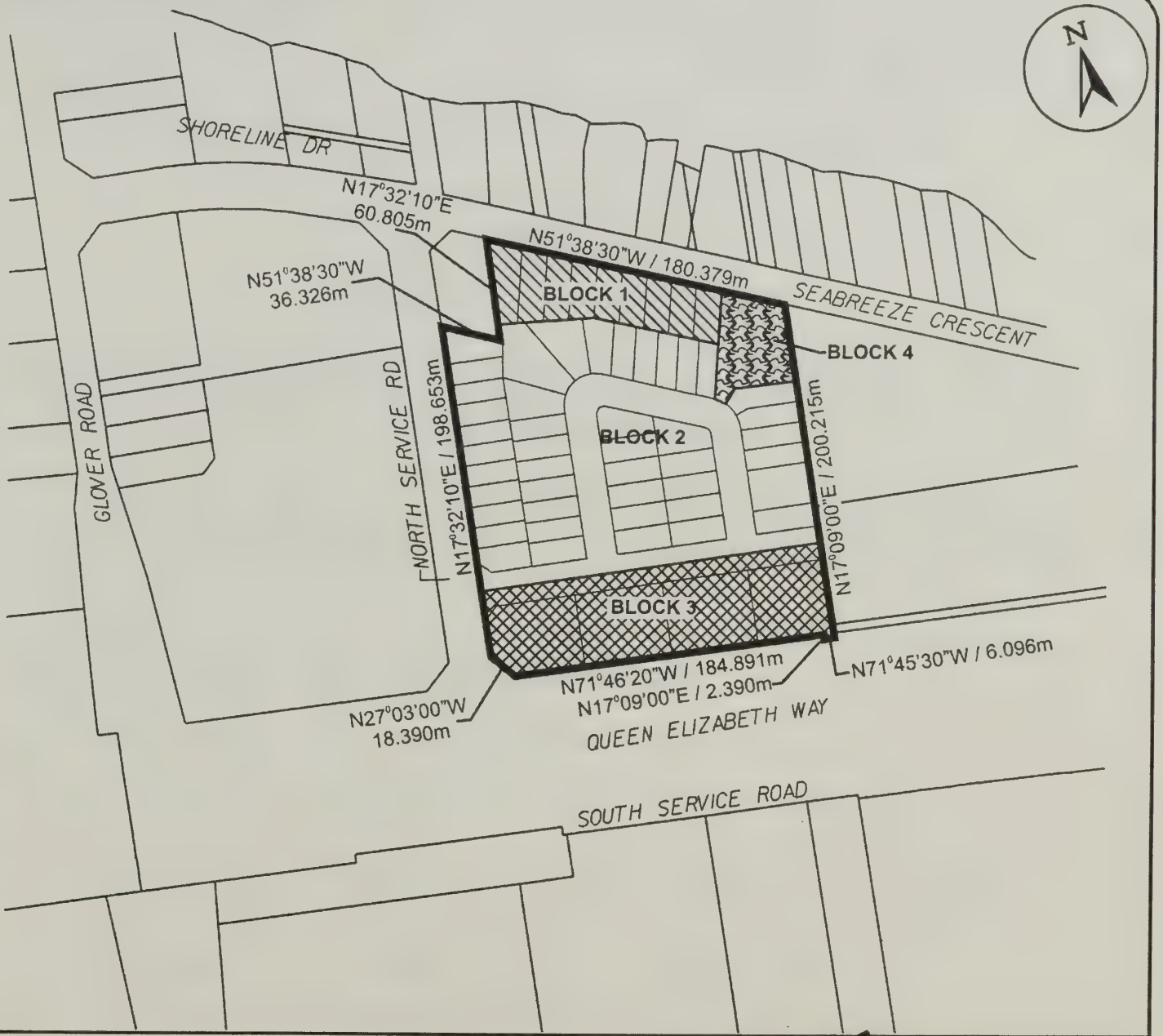
(iv) That Block 4 be rezoned from the Neighbourhood Development "ND" Zone to the Open Space "OS" Zone.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of December, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 351

Passed the 10th day of December, 2003

Clerk

Mayor

Schedule "A"

Map Forming Part of By-Law No. 03-351 to Amend By-Law No. 3692-92

Hamilton

Planning and Development Department

Block 1 - be rezoned from the Neighborhood Development "ND" Zone to the Single Residential Two "R2" Zone

Block 2 - be rezoned from the Neighborhood Development "ND" Zone to the Single Residential Three "R3" Zone

Block 3 - be rezoned from the Neighborhood Development "ND" Zone to the Multiple Residential Two "RM2" Zone

Block 4 - be rezoned from the Neighborhood Development "ND" Zone to the Open Space "OS" Zone

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-52
	Date	Drawn By
	October 02, 2003	NB

B91
CA4 HBL A08
B91

Authority: Item 48, Committee of the Whole
Report 03-021, (PW03110)
CM: August 13, 2003

Bill No. 352

CITY OF HAMILTON
BY-LAW NO. 03- 352
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (One-way Streets) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   "Caroline Southerly Napier to Aberdeen"

   and by deleting from Section "E" thereof the following item, namely:

   "Caroline Southerly York to Aberdeen"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 10th day of December, 2003

MAYOR

CITY CLERK

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CA 4 HBL A08
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Authority: Item 35, Committee of the Whole
Report 03-029
CM: October 29, 2003

Bill No. 353

CITY OF HAMILTON

BY-LAW NO. 03-353

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

   "Dunsmure Eastbound and Westbound Belmont"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of December, 2003

MAYOR

CLERK

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CA4 HBL A08
891

Authority: Item 7, Committee of the Whole
Report 03-030 (PW03153)
CM: October 29, 2003

Bill No. 354

CITY OF HAMILTON
BY-LAW NO. 03-354
To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Glenview	Eastbound and Westbound	Graywood
Brigadoon	Eastbound and Westbound	Graywood"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.

3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of December, 2003

MAYOR

CLERK

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CA4 HBL A08
891

Authority: Item 4, Hearings Sub-Committee
Report 03-018 (PD03109)
CM: May 28, 2003

Bill No. 355

CITY OF HAMILTON

BY-LAW NO. 03-355

To Amend Zoning By-law No. 6593
Respecting Lands Located at 996 Rymal Road East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 4 of Report 03-018 of the Hearing Sub Committee at its meeting held on the 21st day of May, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-49e of the District Maps, appended to and forming part of By-law No. 6593, is amended,

804 J8K 4A3
1P8

(a) by changing from "AA" (Agriculture) District to "DE" (Low Density Multiple Dwellings) District, Modified, the lands comprised in Blocks "1" and "2"; and,

(b) by changing from "AA" (Agriculture) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block "3",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "DE" (Low Density Multiple Dwellings) District regulations, as contained in Section 10A of Zoning By-law No. 6593 (City of Hamilton), applicable to Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:

(a) That notwithstanding Section 10A (3) (iii) of Zoning By-law No. 6593, a rear yard depth of not less than 6.5m shall be provided and maintained; and,

(b) That notwithstanding Section 18A (1) (c) of Zoning By-law No. 6593, a loading space shall not be required.

3. That the "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593 (City of Hamilton), applicable to Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements:

(a) That in addition to the requirements of Section 18A (25), a minimum 3m planting strip shall be provided and maintained in the area between the access driveway and the boundary of the "R-4" District (Block "3") to the north; and,

(b) That in addition to the requirements of Section 18A, a minimum 1m landscaped area shall be provided and maintained between the driveway access and the southerly lot line.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District and "R-4" District provisions, subject to the special requirements referred to in sections 2 and 3.

10. By-law No. 6593 (Hamilton) is amended by adding this by-law to Section 19B as Schedule S-1494.

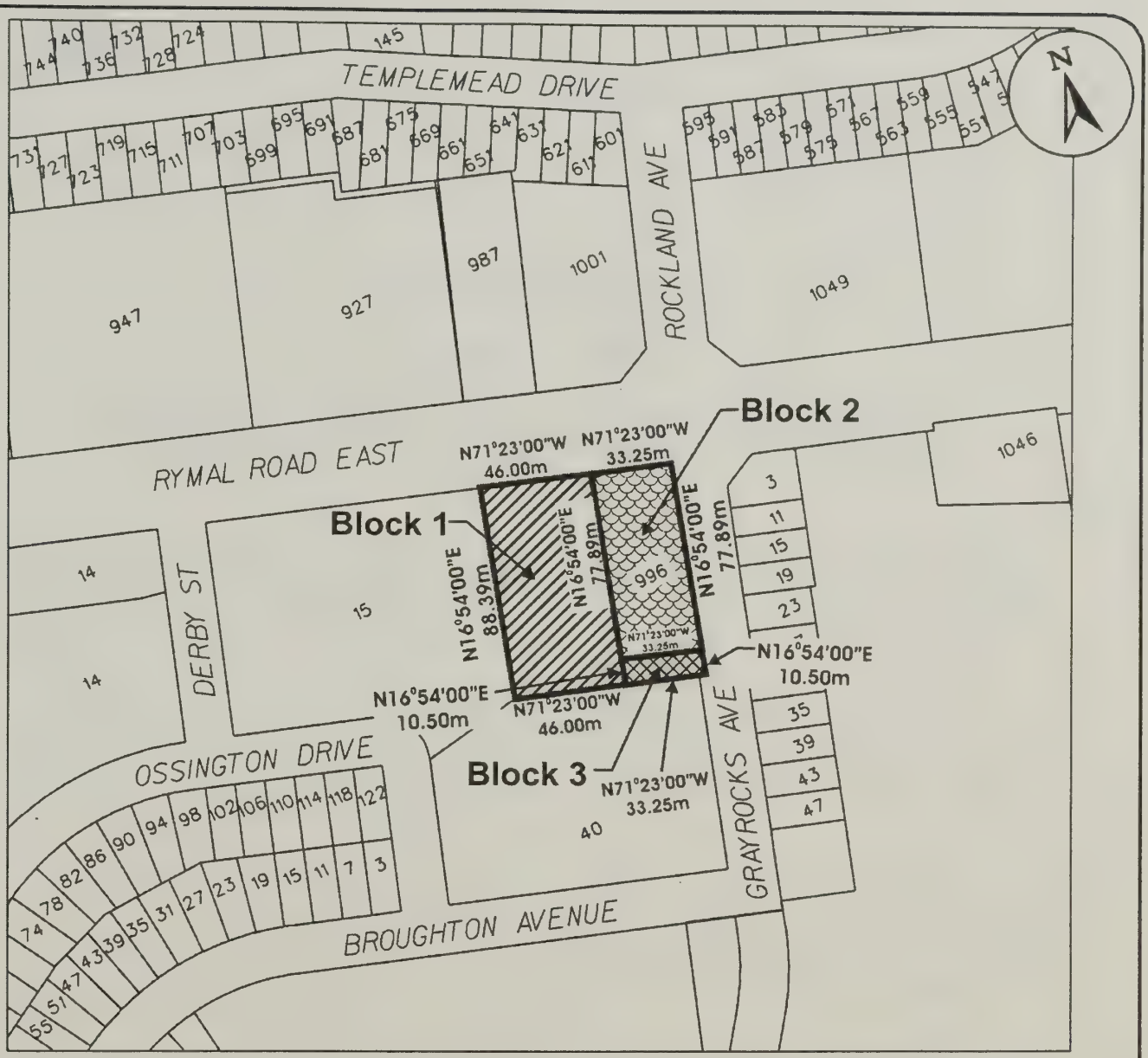
11. Sheet No. W-49e of the District Maps is amended by marking the lands referred in Section 1 of the by-law as S-1494.

12. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of December, 2003.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 03— 355

Passed the 10th day of December ,2003

Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 03- 355
to Amend By–Law No. 6593

Hamilton

Planning and Development Department

Subject Property
996 Rymal Road East

Block 1
Change in Zoning From "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, Modified

Block 2
Change in Zoning From "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, Modified

Block 3
Change in Zoning From "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-03-12
	Date	Drawn By
	Dec. 3, 2003	LM

CA4 HBL A08
B91

Authority: Item 1, Committee of the Whole
Report 03-031,
(FCS04002/PW04002)
CM: December 10, 2003

Bill No. 356

CITY OF HAMILTON

BY-LAW NO. 03-356

TO AMEND THE SEWER USE BY-LAW R89-049, AS AMENDED, AND IMPLEMENT THE 2004 SEWER USE FEES AND CHARGES.

WHEREAS on April 4, 1989, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R89-049, known and referred to as "The Sewer Use By-law", which By-law came into force and effect on April 10, 1989;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2003, the Council of the City of Hamilton did approve of Item 1 of Report 03-031 of the Committee of the Whole and did authorize the 2004 water and wastewater user fees and charges, including the sewer use fees and charges set out herein;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "D" to By-law No. R89-049, as amended, be repealed and that Schedule "D" attached to this by-law be substituted therefor.

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1P8

2. That this by-law shall come into force and take effect as of January 1, 2004.

3. In all other respects, the contents of By-law R89-049, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged.

PASSED AND ENACTED this 10th day of December, 2003.

Mayor

City Clerk

SCHEDULE D

SCHEDULE OF FEES

EFFECTIVE JANUARY 1ST, 2004
(REFERRED TO IN SECTIONS 4, 7 AND 8)

1. For an annual fee permit to discharge hauled sewage $50.00*

2. Permit refund service charge – Sewers $20.00*

3. (a) Discharge fees for hauled sewage generated inside the City of Hamilton:

Volume of Hauled Sewage Vehicle		Fee for discharge: compliant	Fee for discharge: non-compliant
Up to 1000 imperial gallons or any part thereof	Up to 4.54 m^3 or any part thereof	$ 38.15*	$38.15*
Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons	Greater than 4.54 m^3 but less than or equal to 15.9 m^3	$ 38.15*	$76.30*
Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons	Greater than 15.9 m^3 but less than or equal to 22.7 m^3	$ 76.30*	$114.45*
Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons	Greater than 22.7 m^3 but less than or equal to 36.3 m^3	$114.45*	$190.75*
Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons	Greater than 36.3 m^3 but less than or equal to 45.43 m^3	$152.60*	$228.90*

*Includes GST

(b) Discharge fees for hauled sewage generated outside the City of Hamilton:

Volume of Hauled Sewage Vehicle		Fee for all discharges from outside the City: compliant and non-compliant
Up to 1000 imperial gallons or any part thereof	Up to 4.54 m^3 or any part thereof	$ 76.30*
Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons	Greater than 4.54 m^3 but less than or equal to 15.9 m^3	$ 152.60*
Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons	Greater than 15.9 m^3 but less than or equal to 22.7 m^3	$ 228.90*
Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons	Greater than 22.7 m^3 but less than or equal to 36.3 m^3	$381.50*
Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons	Greater than 36.3 m^3 but less than or equal to 45.43 m^3	$457.80*

c) Holding Tanks of Recreational Vehicles $ 5.00*

4. Overstrength Discharge Fees and Compliance Program Fees

Parameter	Fee (cents/kg)
B.O.D.	$0.5687 plus GST
Suspended Solids	$0.4550 plus GST
Phenolic Compounds	$0.5687 plus GST
Solvent Extractable Matter	$0.4777 plus GST
Kjeldahl Nitrogen	$1.7318 plus GST
Phosphorus	$1.2183 plus GST

5. Administrative Fees for Sewer Use Agreements (minimum charges per quarter)

a) Overstrength Discharge Agreement $233.64 plus GST
b) Sanitary Sewer Surcharge Agreement $233.64 plus GST

6. Information Requests $107.48 plus GST

*Includes GST

CA4 HBL A08
B91

Authority: Item 1, Committee of the Whole
Report 03-031,
(FCS04002/PW04002)
CM: December 10, 2003

Bill No. 357

CITY OF HAMILTON

BY-LAW NO. 03-357

TO IMPLEMENT THE 2004 FEES AND CHARGES FOR LABORATORY SERVICES

WHEREAS pursuant to section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2003, the Council of the City of Hamilton did approve of Item 1 of Report 03-031 of the Committee of the Whole and did authorize the 2004 water and wastewater user fees and charges, including the fees and charges for laboratory services set out herein;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the fees and charges in Schedule "A" to this By-law be imposed for laboratory services provided by the City of Hamilton as specified therein.

2. That By-law No. 02-373, being a by-law to implement the 2002 user fees for laboratory services, is hereby repealed.

3. That this by-law shall come into force and take effect as of the 1st day of January, 2004.

PASSED AND ENACTED this 10th day of December, 2003.

Mayor

City Clerk

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1981

SCHEDULE "A"

SCHEDULE OF FEES AND CHARGES FOR LABORATORY SERVICES

Service	Fees and Charges
Inorganic Tests	
pH Test	$ 9.00*
Conductivity	$ 9.00*
Turbidity	$ 9.00*
Ammonia	$19.00*
Total Kjeldhal Nitrogen (TKN)	$25.00*
Nitrate, Nitrite	$19.00*
Phosphorous Total	$25.00*
Reactive Phosphorous	$19.00*
Fluoride	$19.00*
Chloride	$19.00*
Sulphate	$19.00*
Total Suspended Solids (TSS)	$19.00*
Total Volatile Solids	$19.00*
Chemical Oxygen Demand (COD)	$19.00*
Biochemical Oxygen Demand (BOD)	$36.00*
Phenolics	$27.00*
Total Cyanide	$27.00*
Other non-listed inorganic tests	$19.00*
Chlorine	$ 9.00*
Ion Chromatograph Anion Scan	$44.00*
Dissolved Organic Carbon	$27.00*
Microbiology Tests	
Total Coliform	$12.00*
E. coli	$12.00*
Heterotrophic Plate Count	$19.00*
Metals	
Hydride Generation	$30.00*
Graphite Furnace	$27.00*
Mercury	$40.00*
ICP Scan (25 elements)	$64.00*
Non-routine tests by:	
Technician (per hour)	$60.00*
Technologist (per hour)	$61.00*
Chemist (per hour)	$88.00*

Organic Tests	
Total Oil & Grease	$ 42.00*
Total Oil & Grease Vegetable & Mineral	$ 65.00*
Semi-Volatile – Full Scan plus Base Neutral Targets (includes PAH's)	$428.00*
Volatiles – Full Scan plus Chlorinated and Aromatic Targets	$225.00*
Oil ID	$141.00*
BTEX	$120.00*
Trihalomethanes	$102.00*
PCB's	$107.00*
Cold and Hot Extractable Hydrocarbons plus BTEX	$214.00*

* Includes GST

Note: (1) A 15% discount for five or more samples
(2) Further discounts may be applicable to City of Hamilton Projects.
(3) Rush service may be subject to a surcharge that will vary depending on the analysis and turnaround requirements.

CA 4 HBL A0B
B91

Authority: Item 1, Committee of the Whole
Report 03-031,
(FCS04002/PW04002)
CM: December 10, 2003

Bill No. 358

CITY OF HAMILTON

BY-LAW NO. 03-358

TO AMEND THE SEWER AND DRAIN BY-LAW R79-172, AS AMENDED, AND IMPLEMENT THE 2004 FEES AND CHARGES

WHEREAS on November 6, 1979, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R79-172, known and referred to as "The Regional Sewer and Drain By-law";

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2003, the Council of the City of Hamilton did approve of Item 1 of Report 03-031 of the Committee of the Whole and did authorize the 2004 water and wastewater user fees and charges, including the fees and charges set out herein;

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1P8

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "C" to By-law No. R79-172, as amended, is hereby repealed and that Schedule "C" attached to this by-law be substituted therefor.

2. That this by-law shall come into force and take effect as of January 1, 2004.

3. In all other respects, the contents of By-law R79-172, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged.

PASSED AND ENACTED this 10th day of December, 2003.

Mayor

City Clerk

SCHEDULE "C"

SCHEDULE OF FEES AND CHARGES

EFFECTIVE JANUARY 1ST, 2004

1.	Basic Fee for any sewer permit	$50.00*
	In addition to the basic fee described in section (1) of this Schedule "C", the following fees are payable:	
	(a) for a sanitary yard sewer and a private drain, or for either one individually	$21.00*
	(b) for a storm water yard sewer and a private drain, or for either one individually	$21.00*
	(c) for a lateral connection to a yard sewer	$21.00*
	(d) for a catch basin including connection to a storm water yard sewer	$21.00*
	(e) inspect storm sewer	$21.00*
	(f) inspect sanitary sewer	$21.00*
2.	Processing of Special Sewer Agreements	$395.00*
3.	Special Sanitary/Storm Sewer Agreements (Clause 5(1)(b)(i) of the By-law)	$1,735.00*
4.	Special Dual Sewer Agreements (Clause 5(1)(b)(ii) of the By-law)	$2,290.00*
5.	Discharge of Special Sewer Agreements	$210.00*
6.	Sanitary Yard Sewer & Private Drain Inspection (weekend)	$210.00*
7.	Expired Sewer Permit Extension (Renewal)	$31.50*
8.	Service Charge for Missed Appointments and Inspections Not Ready and completed follow-up inspection ($47/visit).	$94.00*
9.	Rental Rate for Landscaping Lease (Per Annum)	Case Dependent No Set Fee
10.	Status of Special Sewer Agreements – No Field Inspection	$115.00*
11.	Status of Special Sewer Agreements – Field Inspection	$162.00*

*GST exempt.

SCHEDULE "C"

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11.	Status of Special Sewer Agreements – Field Inspection	$162.00*

*GST exempt.

CA4 HBC A08
B91

Authority: Item 1, Committee of the Whole
Report 03-031,
(FCS04002/PW04002)
CM: December 10, 2003

Bill No. 359

CITY OF HAMILTON

BY-LAW NO. 03-359

TO AMEND THE WATERWORKS BY-LAW R84-026, AS AMENDED, AND IMPLEMENT THE 2004 WATER FEES AND CHARGES

WHEREAS on March 20, 1984, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R84-026, being a by-law respecting the management and maintenance of the waterworks system of The Regional Municipality of Hamilton-Wentworth and the establishment of water rates and charges;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 391 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 10th day of December, 2003, the Council of the City of Hamilton did approve of Item 1 of Report 03-031 of the Committee of the Whole and did authorize the 2004 water and wastewater user fees and charges, including but not limited to the fees and charges set out herein;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule "G" to By-law No. R84-026, as amended, be repealed and that Schedule "G" attached to this by-law be substituted therefor.

CB4 .H8L R65
B41

2. That this by-law shall come into force and take effect as of the 1st day of January, 2004.

3. In all other respects, the contents of By-law R84-026, as amended, including but not limited to all other fees and charges therein, are hereby confirmed as unchanged.

PASSED AND ENACTED this 10th day of December, 2003.

Mayor

City Clerk

SCHEDULE "G" TO BY-LAW NO. R84-026, AS AMENDED

TABLE OF METERED WATER RATES

EFFECTIVE JANUARY 1, 2004

(Referred to in Section 12(2), (3) & (4) & 13(2))

A) Minimum Charge

The minimum charge per billing period, which constitutes a basic charge, including the use of the specified volume of water is as follows:

Residential Meter Size	Approved Bi-Monthly Rate	Minimum Volume/Bi-Monthly	Approved Monthly rate	Minimum Volume/Month
15 mm to 20 mm	$10.52	10 m^3	$5.26	5 m^3

Commercial, Institutional & Industrial Meter Size	Approved Bi-Monthly Rate	Minimum Volume/Bi-Monthly	Approved Monthly Rate	Minimum Volume/Month
16 mm	$ 10.52	10 m^3	$ 5.26	5 m^3
20 mm	10.52	10 m^3	5.26	5 m^3
25 mm	55.62	30 m^3	27.81	15 m^3
38 mm	61.80	30 m^3	30.90	15 m^3
50 mm	73.48	30 m^3	36.74	15 m^3
75 mm	127.30	30 m^3	63.65	15 m^3
100 mm	163.06	30 m^3	81.53	15 m^3
150 mm	288.54	30 m^3	144.27	15 m^3
200 mm	498.20	30 m^3	249.10	15 m^3
250 mm	767.00	30 m^3	383.50	15 m^3

Haldimand Meter Size	Approved Bi-Monthly Rate	Minimum Volume Bi-Monthly	Approved Monthly Rate	Minimum Volume/Month
100 mm	$244.60	30 m^3	$122.30	15 m^3
150 mm	432.80	30 m^3	216.40	15 m^3
200 mm	747.30	30 m^3	373.65	15 m^3

B) Consumption Rate

The consumption charge for the amount of water used over and above the specified volume included in the Bi-Monthly Minimum Charge is as follows:

Type of Water Service	**Specified Volume Included in Billed Minimum Bi-Monthly Charge**	**Consumption Charge per Cubic Metre**
Residential	10 m^3	\$0.733 > 10 m^3
Small Commercial	10 m^3	\$0.733 > 10 m^3
Commercial, Institutional & Industrial (including Private Water Filling Stations approved by the City)	30 m^3	\$0.733 > 30 m^3
Haldimand & Public Water Filling Stations	30 m^3	\$1.100 > 30 m^3

C) Sanitary Sewer Surcharge Rate 100% of water consumption (applies to all metered residential, commercial, industrial and institutional water consumption)

CA4 HBL A08
B91

Bill No. 360

THE CITY OF HAMILTON

BY-LAW NO. 03- 360

To Confirm the Proceedings of City Council at its special meeting held on December 10, 2003

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 10th day of December, 2003 in respect of each recommendation contained in the Strategic Planning and Budgets and Planning and Economic Development Committees,

   considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 10th day of December, 2003

MAYOR

CITY CLERK

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